THE NATIONAL ARCHIVES OF THE UNITED STATES
LITTERA SCRIPTA MANET
1934

FEDERAL REGISTER

VOLUME 12 NUMBER 231

Washington, Wednesday, November 26, 1947

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1947 C. C. C. Corn Bulletin 1]

PART 248—CORN LOANS AND PURCHASE AGREEMENTS

1947 CORN LOAN AND PURCHASE AGREEMENT PROGRAM BULLETIN

This bulletin states the requirements with respect to the 1947 Corn Loan and Purchase Agreement Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Loans and purchase agreements will be made available on corn produced in 1947 in accordance with this bulletin.

Sec.

AUTHORITY: §§ 248.101 to 248.124, inclusive, issued under Article Third, paragraph (b) and (j) of the Corporate Charter of Commodity Credit Corporation, sec. 7 (a), 49 Stat. 4, as amended; sec. 8, 56 Stat. 767 as amended; 15 U. S. C., and Sup., 713, 50 U. S. C. App., Sup., 968.

§ 248.101 *Administration.* The program will be administered in the field by the county agricultural conservation committees under the general supervision of the State PMA committees, according to the provisions of this bulletin and those of Commodity Loan and Purchase 2 (which establishes intra-departmental procedural and administrative responsibilities only and is, therefore, not published or made generally available to the public).

Forms may be obtained from county committees in areas where loans and purchase agreements are available, or from field offices of PMA. County committees will determine or cause to be determined the quantity and grade of the corn, the amount of the loan, and the value of the corn delivered under a loan or purchase agreement. All purchase and loan documents will be completed and approved by the county committee, which will retain copies of all such documents. The county committee may designate in writing certain employees of the county agricultural conservation association to approve such forms on behalf of the committee.

The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents. In case the producer requests a direct loan from CCC, he will submit the loan documents to the county committee for transmittal.

§ 248.102 *Availability of loans and purchase agreements*—(a) *Area.* (1) Loans shall be available on eligible corn stored on farms in the States and counties for which loan and purchase rates are shown in § 248.124. Loans will not be available on warehouse-stored corn.

(2) Purchase agreements shall be available on eligible corn in all areas where loans are available and in other States or counties for which rates may be established for the purchase agreement program only, by amendment to this bulletin.

(b) *Time.* Loans and purchase agreements shall be available from December 1, 1947 through June 30, 1948, except in areas designated by State PMA committees as Angoumois moth infestation areas where loans will be available only through March 31, 1948.

(Continued on next page)

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

CODIFICATION GUIDE—Con.

§ 248.103 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which the CCC has entered into a Lending Agency Agreement (Form PMA-97) or other forms prescribed by the Administrator.

§ 248.104 *Eligible producer.* An eligible producer shall be an individual, partnership, association, corporation, or other legal entity producing corn in 1947, as landowner, landlord, tenant, or sharecropper.

§ 248.105 *Eligible corn.* Eligible corn shall be ear or shelled field corn which was produced in 1947 and which meets the following requirements.

(a) The beneficial interest in such corn must be in the producer tendering the corn for a loan or purchase and must always have been in him or in him and a former producer whom he succeeded before the corn was harvested; or such corn must have been purchased by an eligible producer who will operate a different farm in 1948 from that operated in 1947 and the number of bushels being placed under loan or purchased is not in

excess of the total number of bushels produced by the producer on the farm operated by him in 1947;

(b) The grade of such corn must be No. 3 or better, or No. 4 on test weight only, as defined in the Official Grain Standards of the United States, except for moisture content of corn being placed under loan;

(c) The moisture content of corn being placed under loan shall not exceed the following:

	Percent
Ear corn if tendered for a loan from Dec. 1, 1947, to Mar. 31, 1948, both inclusive	20.5
Ear corn if tendered for a loan from April 1, 1948, to Apr. 30, 1948, both inclusive	17.5
Ear corn if tendered for a loan from May 1, 1948, to June 30, 1948, both inclusive	15.5
Shelled corn if tendered for a loan from Dec. 1, 1947, to June 30, 1948, both inclusive	13.5

(d) Corn must be shelled before delivery is made under the loan or purchase program.

§ 248.106 *Eligible storage.* Under the loan program, eligible farm storage shall consist of farm bins or cribs which, as determined by the county committee, are of such substantial and permanent construction as to afford safe storage of the corn, and afford protection against rodents, other animals, thieves, and weather.

The most important factor to be considered in the safe storage of corn is the crib width. Cribs having a width greater than the recommended width for the county will not be considered as safe for storage of corn offered for a loan, unless the moisture content of the corn is less than the applicable permissible moisture content by at least 1 percent for each foot or fraction thereof in excess of the recommended width. In the case of round cribs with center ventilator the distance from the ventilator to the outside wall shall be used as the width, and for round cribs without center ventilator two-thirds of the diameter shall be used as the width. Maximum crib widths for safe storage of corn are listed on the attached schedule.

§ 248.107 *Approved forms.* The approved forms consist of the loan and purchase agreement documents which, together with the provisions of this bulletin, govern the rights and responsibilities of the producer, and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or purchase agreement or in executing any of the loan or purchase documents, will render him subject to prosecution under the United States Criminal Code.

Notes and chattel mortgages must be dated prior to July 1, 1948, and be executed in accordance with the applicable instructions, with State and documentary revenue stamps affixed thereto where required by law. Purchase agreements must be signed and dated by the producer and mailed or delivered to the county committee prior to July 1, 1948. Notes and chattel mortgages, and purchase agreements executed by an administrator, executor, or trustee will be acceptable only where legally valid.

(a) *Farm storage loans.* Approved forms shall consist of producer's note on CCC Commodity Form A, secured by a chattel mortgage on CCC Commodity Form AA.

(b) *Purchase agreement program.* The approved forms shall consist of the Purchase Agreement (Commodity Purchase 1) signed by the producer and approved by the county committee or such other forms as may be prescribed by the Director, Grain Branch, PMA.

(c) *Warehouse receipts.* Corn stored in eligible warehouse storage tendered under a purchase agreement must be represented by warehouse receipts which satisfy the following requirements:

(1) Warehouse receipts must be issued by an approved warehouseman, must be properly endorsed in blank so as to vest title in the holder, and must be issued in the name of the producer or must represent the producer's corn.

(2) Each warehouse receipt must set forth in its written terms that the corn is insured for not less than market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, or, in lieu of this statement, it must have stamped or printed thereon the word "Insured".

(3) The corn represented by each warehouse receipt must be free of all liens or charges prior to unloading in or delivery to a warehouse. Liens for warehouse charges will be recognized by CCC only from the date of the warehouse receipt or the maturity date of CCC corn loans, whichever is later.

(4) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show the gross weight and grade, test weight, and all special grading factors.

(5) In the case of warehouse receipts issued for corn delivered by rail or barge, CCC will accept inbound weight and inspection certificates properly identified with the corn covered thereby in lieu of the information required by subparagraph (4) of this paragraph. In areas where licensed inspectors are not available at terminal and subterminal warehouses, CCC will accept inspection certificates based on representative samples which have been forwarded to and graded by licensed grain inspectors.

§ 248.108 *Determination of quantity.* A bushel of ear corn shall be 2.5 cubic feet of ear corn testing not more than 15.5 percent in moisture content. An adjustment in the number of bushels of ear corn will be made for moisture content in excess of 15.5 percent in accordance with the following schedule:

Moisture content percent	*Adjustment factor (per cent)*
15.6 to 16.5 both inclusive	98
16.6 to 17.5 both inclusive	96
17.6 to 18.5 both inclusive	94
18.6 to 19.5 both inclusive	92
19.6 to 20.5 both inclusive	90
Above 20.5	no loan

A bushel of shelled corn shall be 1.25 cubic feet of shelled corn testing not more than 13.5 percent in moisture content.

§ 248.109 *Determination of dockage.* Since dockage is not a grade factor in the case of corn, the quantity of corn will be determined without reference to dockage.

§ 248.110 *Liens.* The corn must be free and clear of all liens and encumbrances, or if liens or encumbrances exist on the corn, proper waivers must be obtained.

§ 248.111 *Service fees*—(a) *Loans.* The producer shall pay a service fee of one cent per bushel on the number of bushels placed under load or $3.00 whichever is the greater.

(b) *Purchase agreement.* At the time the producer applies for a purchase agreement he shall pay a preliminary minimum service fee of $1.50. In addition, where delivery of corn is made under the purchase agreement, the producer shall pay a service fee of ½ cent on each bushel of corn delivered in excess of 300 bushels.

§ 248.112 *Set-offs.* A producer who is listed on the county debt register as indebted to the United States or any agency thereof shall designate the agency to which he is indebted as the payee of the proceeds of the loan or purchase agreement to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lien-holders. Indebtedness owing to the CCC shall be given first consideration after claims of prior lien-holders.

§ 248.113 *Interest rate.* Loans shall bear interest at the rate of 3 percent per annum; and interest shall accrue from the date of disbursement of the loan, notwithstanding any other printed provisions of the note.

§ 248.114 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the corn under loan or his remaining interest may be restricted by CCC.

§ 248.115 *Safeguarding of the corn.* The producer obtaining a farm-stored loan is obligated to maintain the farm storage structures in good repair, and to keep the corn in good condition.

§ 248.116 *Insurance.* CCC will not require the producer to insure the corn placed under farm-storage loan; however, if the producer does insure such corn such insurance shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the corn involved in the loss.

§ 248.117 *Loss or damage to the corn.* The producer is responsible for any loss in quantity or quality of the corn placed under farm-storage loan, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer resulting solely from an external cause other than insect infestation or vermin will be assumed by CCC: *Provided*, The producer has given the county committee immediate notice in writing of such loss or damage: *And provided*, There has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 248.118 *Personal liability.* The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan, or the conversion or unlawful disposition of any portion of the corn by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 248.119 *Maturity, delivery, and satisfaction*—(a) *Loans.* Loans mature on demand but not later than September 1, 1948. The producer is required to pay off his loan on or before maturity, or to deliver the mortgaged corn in accordance with the instructions of the county committee. Credit will be given for the total quantity delivered provided it was stored in the bin or crib in which the corn under loan was stored, at the settlement value, according to grade and/or quality. If the settlement value of the corn delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the corn is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to CCC, or may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the corn may be delivered before the maturity date of the loan upon prior approval by the county committee.

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase 1) shall not be obligated to deliver any specified quantity of corn to CCC. If the producer who signs a purchase agreement desires to sell corn to CCC he shall, within 30 days from the maturity date of CCC corn loans submit to the county committee warehouse receipts representing eligible corn stored in eligible warehouse storage for the quantity of such corn he elects to sell to CCC, or, in the case of corn stored in other than eligible warehouse storage, he shall notify the county committee of his intention to sell and request delivery instructions. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions, unless the county committee determines more time is needed for delivery. Delivery shall be made to an approved warehouse, or as otherwise directed by the CCC field office. The producer shall direct to whom payment of the purchase price shall be made.

In the case of corn stored in eligible warehouse storage, purchases will be made on the basis of the weight, grade, and other quality factors shown on the warehouse receipts and accompanying documents. Corn delivered from other than eligible warehouse storage will be purchased on the basis of official weights, grades and other quality factors at destination, or official weights at destination and official grades and other quality factors at the inspection point shown on the shipping order furnished the producer, which unless otherwise agreed shall be the customary location, on the route of shipment, of an inspector licensed under the U. S. Grain Standards Act; or, if such corn is delivered to a local CCC bin site, on the basis of the weight, grade and quality determinations made by the county committee (in accordance with instructions for the determination of such factors under the loan program) and approved by the producer at the time of delivery. In the event the farm is sold or there is a change of tenancy, the corn which is stored on farms may be delivered before the maturity date of CCC corn loans with the prior approval of the county committee.

§ 248.120 *Removal of the corn under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the corn and sell it either by separate contract or after pooling it with other lots of corn similarly held. The producer has no right of redemption after the corn is pooled, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled corn as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of corn, even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer as a result of the sale of the corn or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 248.121 *Release of the corn under loan.* A producer may at any time obtain release of the corn under loan by paying to the holder of the note the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by CCC, the producer may request that the note be forwarded to a local bank for collection. In such case, where CCC is the holder of the note, the local bank will be instructed to return the note if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county recording office records. Partial release of the corn prior to maturity may be arranged with the county committee by paying to the holder of the note the amount of the loan and accrued interest represented by the quantity of the corn to be released.

§ 248.122 *Purchase of notes.* CCC will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committees on 1940 CCC Form F, or such other form as CCC may prescribe, of all payments received on producers' notes held by them, and are required to remit promptly to CCC an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies should submit notes and reports to the CCC field office serving the area.

§ 248.123 *Field offices of CCC.* The field offices of CCC, and the areas served by them, are shown below:

Address and Area

623 South Wabash, Chicago 5, Ill.: Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.

300 Interstate Building, 417 East Thirteenth Street, Kansas City 6, Mo.: Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.

326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Eastern Building, 515 Southwest Tenth and Washington Streets, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 248.124 *Loan and purchase rates*—(a) *Basic loan rates.* Loan rates per bushel of eligible corn for the respective States and counties, basis grade No. 3, or No. 4 on test weight only, are set forth below, except that the loan rate on eligible corn grading "mixed" is 2 cents per bushel less. State and county rates per bushel are as follows:

	Rate
COLORADO	
All counties	$1.35
DELAWARE	
All counties	1.52
MARYLAND	
All counties	1.52
NEW YORK	
All counties	1.55
NEW JERSEY	
All counties	1.53
NORTH CAROLINA	
All counties	1.54
PENNSYLVANIA	
All counties	1.52
VIRGINIA	
All counties	1.54
WYOMING	
All counties	1.34
ILLINOIS	
County	
Jo Daviess, Mercer	1.33
Adams, Boone, Bureau, Carroll, Hancock, Henderson, Henry, Knox, La Salle, Lee, McDonough, Marshall, Ogle, Putnam, Rock Island, Stark, Stephenson, Warren, Whiteside, Winnebago	1.34
Brown, Calhoun, Cass, Champaign, Christian, Coles, De Kalb, De Witt, Douglas, Edgar, Ford, Fulton, Greene, Grundy, Kankakee, Kendall, Livingston, Logan, McHenry, McLean, Macon, Mason, Menard, Montgomery, Morgan, Moultrie, Peoria, Piatt, Pike, Sangamon, Schuyler, Scott, Tazewell, Vermilion, Woodford	1.35

ILLINOIS—Continued

County	Rate
Bond, Clark, Cumberland, Du Page, Fayette, Iroquois, Jersey, Kane, Macoupin, Shelby, Will	$1.36
Clay, Clinton, Cook, Crawford, Effingham, Jasper, Jefferson, Lake, Madison, Marion, Wayne	1.37
Edwards, Franklin, Hamilton, Lawrence, Monroe, Perry, Randolph, Richland, St. Clair, Wabash, Washington, White	1.38
Gallatin, Hardin, Jackson, Johnson, Massac, Pope, Saline, Union, Williamson	1.39
Alexander, Pulaski	1.40

INDIANA

Benton, Fountain, Jasper, Newton, Vermillion, Vigo, Warren	1.36
Carroll, Cass, Clay, Fulton, Lake, La Porte, Marshall, Montgomery, Owen, Parke, Porter, Pulaski, St. Joseph, Starke, Sullivan, Tippecanoe, White	1.37
Boone, Brown, Clinton, Daviess, Elkhart, Gibson, Grant, Greene, Hamilton, Hancock, Hendricks, Howard, Huntington, Johnson, Knox, Kosciusko, Lagrange, Madison, Marion, Miami, Monroe, Morgan, Noble, Putnam, Shelby, Tipton, Wabash, Whitley	1.38
Adams, Allen, Bartholomew, Blackford, Decatur, De Kalb, Delaware, Dubois, Fayette, Franklin, Henry, Jackson, Jay, Jennings, Lawrence, Martin, Orange, Pike, Posey, Randolph, Ripley, Rush, Steuben, Union, Vanderburgh, Warrick, Wayne, Wells	1.39
Clark, Crawford, Dearborn, Floyd, Harrison, Jefferson, Ohio, Perry, Scott, Spencer, Switzerland, Washington	1.40

IOWA

Buena Vista, Ida, Lyon, O'Brien, Osceola, Pocahontas, Sac	1.28
Audubon, Boone, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dickinson, Emmet, Floyd, Greene, Guthrie, Hamilton, Hancock, Humboldt, Kossuth, Monona, Palo Alto, Shelby, Sioux, Webster, Woodbury, Wright	1.29
Adair, Adams, Bremer, Butler, Cass, Chickasaw, Dallas, Franklin, Fremont, Grundy, Hardin, Harrison, Howard, Jasper, Marshall, Mills, Mitchell, Montgomery, Page, Plymouth, Polk, Pottawattamie, Poweshiek, Ringgold, Story, Taylor, Union, Winnebago, Worth	1.30
Allamakee, Black Hawk, Buchanan, Clarke, Clayton, Decatur, Fayette, Iowa, Lucas, Madison, Mahaska, Marion, Tama, Warren, Wayne, Winneshiek	1.31
Appanoose, Benton, Delaware, Dubuque, Jefferson, Johnson, Keokuk, Linn, Monroe, Wapello, Washington	1.32
Cedar, Clinton, Davis, Henry, Jackson, Jones, Louisa, Muscatine, Scott, Van Buren	1.33
Des Moines, Lee	1.34

KANSAS

Republic	1.29
Clay, Cloud, Jewell, Marshall, Phillips, Riley, Smith, Washington	1.30
Brown, Decatur, Dickinson, Doniphan, Geary, Jackson, Mitchell, Nemaha, Norton, Osborne, Ottawa, Pottawatomie, Rooks, Shawnee, Wabaunsee	1.31
Atchison, Chase, Cheyenne, Douglas, Ellis, Ellsworth, Graham, Jefferson, Lincoln, Lyon, McPherson, Marion, Morris, Osage, Rawlins, Russell, Saline, Sheridan	1.32
Coffey, Franklin, Johnson, Leavenworth, Wyandotte	1.33
Allen, Anderson, Bourbon, Linn, Miami	1.34
All other counties	1.35

KENTUCKY

County	Rate
Ballard, Carlisle, Crittenden, Fulton, Henderson, Hickman, Livingston, McCracken, Union	$1.43
Breckenridge, Carroll, Daviess, Gallatin, Hancock, Jefferson, Marshall, Meade, Oldham, Trimble	1.44
Boone, Campbell, Graves, Kenton, Webster	1.45
Calloway	1.46
Bracken, Caldwell, Greenup, Hardin, Hopkins, Lewis, Lyon, McLean, Mason	1.47
Boyd, Bullitt, Christian, Grayson, Henry, Muhlenberg, Ohio, Owen, Pendleton, Shelby, Todd, Trigg	1.48
Grant, Logan	1.49
Butler, Carter, Fleming, Franklin, Lawrence, Robertson	1.50
Edmonson, Larue, Nelson, Simpson, Spencer, Warren	1.51
Adair, Allen, Anderson, Barren, Bath, Cumberland, Elliott, Green, Harrison, Hart, Marion, Metcalfe, Monroe, Nicholas, Rowan, Scott, Taylor, Washington, Woodford	1.52
Bourbon, Boyle, Casey, Clark, Clinton, Fayette, Garrard, Jessamine, Johnson, Lincoln, McCreary, Madison, Martin, Menifee, Mercer, Montgomery, Morgan, Pulaski, Russell, Wayne	1.54
Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, Magoffin, Owsley, Perry, Pike, Powell, Rockcastle, Whitley, Wolfe	1.55

MICHIGAN

Berrien, Cass, St. Joseph, Van Buren	1.38
Allegan, Barry, Branch, Calhoun, Hillsdale, Kalamazoo, Ottawa	1.39
All other counties	1.41

MINNESOTA

Nobles, Pipestone, Rock	1.28
Big Stone, Jackson, Lac qui Parle, Lincoln, Lyon, Murray, Yellow Medicine	1.29
Blue Earth, Brown, Chippewa, Cottonwood, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Kandiyohi, Martin, Meeker, Mower, Nicollet, Olmsted, Redwood, Renville, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona	1.30
Douglas, Grant, Le Sueur, McLeod, Pope, Rice, Stearns, Wright	1.31
All other counties	1.32

MISSOURI

Atchison, Gentry, Grundy, Harrison, Holt, Mercer, Nodaway, Worth	1.31
Andrew, Buchanan, Caldwell, Clinton, Daviess, De Kalb, Livingston, Putnam	1.32
Adair, Carroll, Chariton, Clay, Jackson, Linn, Macon, Platte, Ray, Schuyler, Sullivan	1.33
Cass, Clark, Howard, Johnson, Knox, Lafayette, Monroe, Pettis, Randolph, Saline, Scotland, Shelby	1.34
Audrain, Bates, Benton, Boone, Callaway, Cooper, Henry, Hickory, Lewis, Marion, Montgomery, Morgan, Pike, Ralls, St. Clair, Vernon	1.35
Camden, Cole, Gasconade, Lincoln, Maries, Miller, Moniteau, Osage, Warren	1.36
Crawford, Franklin, St. Charles, St. Louis, Washington	1.37
Jefferson, St. Francois, Ste. Genevieve	1.38
All other counties	1.39

NEBRASKA

Antelope, Boone, Knox, Madison, Pierce	1.27
Boyd, Cedar, Cuming, Garfield, Greeley, Hamilton, Holt, Merrick, Nance, Platte, Polk, Stanton, Thurston, Wayne, Wheeler, York	1.28

NEBRASKA—Continued

County	Rate
Adams, Buffalo, Burt, Butler, Clay, Colfax, Dakota, Dixon, Dodge, Fillmore, Franklin, Hall, Howard, Kearney, Lancaster, Loup, Nuckolls, Rock, Saunders, Seward, Sherman, Thayer, Valley, Webster	$1.29
Blaine, Brown, Cass, Custer, Dawson, Douglas, Harlan, Jefferson, Kaya Paha, Otoe, Phelps, Saline, Sarpy, Washington	1.30
Cherry, Frontier, Furnas, Gage, Gosper, Hooker, Johnson, Lincoln, Logan, McPherson, Nemaha, Pawnee, Redwillow, Richardson, Thomas	1.31
Arthur, Chase, Dundy, Grant, Hayes, Hitchcock, Keith, Perkins	1.32
Deuel, Garden, Sheridan	1.33
Banner, Box Butte, Cheyenne, Dawes, Kimball, Morrill, Scotts Bluff, Sioux	1.34

NORTH DAKOTA

Dickey, Richland, Sargent	1.31
Ranson	1.32
All other counties	1.33

OHIO

Darke, Defiance, Mercer, Paulding, Preble, Van Wert, Williams	1.39
Allen, Auglaize, Butler, Fulton, Hamilton, Henry, Miami, Montgomery, Putnam, Shelby	1.40
Champaign, Clark, Clermont, Clinton, Fayette, Greene, Hancock, Hardin, Logan, Lucas, Union, Warren, Wood	1.41
Adams, Brown, Crawford, Delaware, Franklin, Highland, Madison, Marion, Ottawa, Pickaway, Pike, Ross, Sandusky, Scioto, Seneca, Wyandot	1.42
Ashland, Erie, Fairfield, Hocking, Huron, Jackson, Knox, Lawrence, Licking, Morrow, Richland, Vinton	1.43
Athens, Coshocton, Gallia, Holmes, Lorain, Medina, Meigs, Morgan, Muskingum, Perry, Wayne	1.44
Cuyahoga, Guernesy, Noble, Stark, Summit, Tuscarawas, Washington	1.45
Ashtabula, Belmont, Carroll, Columbiana, Geauga, Harrison, Jefferson, Lake, Mahoning, Monroe, Portage, Trumbull	1.46

SOUTH DAKOTA

Beadle, Bon Homme, Davison, Hanson, Hutchinson, McCook, Miner, Minnehaha, Sanborn, Turner, Yankton	1.27
Aurora, Brookings, Clay, Douglas, Hand, Jerauld, Kingsbury, Lake, Lincoln, Moody	1.28
Brule, Buffalo, Charles Mix, Clark, Codington, Deuel, Grant, Gregory, Hamlin, Hyde, Spink, Union	1.29
Brown, Day, Edmunds, Faulk, Hughes, Lyman, Marshall, Mellette, Roberts, Sully, Todd, Tripp	1.30
Armstrong Bennett, Campbell, Haakon, Jackson, Jones, McPherson, Potter, Stanley, Walworth, Washabaugh	1.31
Corson, Dewey, Meade, Pennington, Perkins, Shannon, Washington, Ziebach	1.32
Butte, Custer, Fall River, Harding, Lawrence	1.33

TENNESSEE

Lake	1.43
Obion	1.44
Dyer, Gibson, Lauderdale, Tipton, Weakley	1.45
Carroll, Crockett, Fayette, Haywood, Henry, Madison, Shelby	1.46
Chester, Hardeman, Henderson	1.47
Benton, Cheatham, Decatur, Dickson, Hickman, Houston, Humphreys, McNairy, Montgomery, Perry, Stewart	1.48
Davidson, Hardin, Lewis, Robertson	1.49
Maury, Wayne, Williamson	1.50

TENNESSEE—Continued

County	Rate
Lawrence, Marshal, Rutherford, Sumner, Trousdale, Wilson	$1.51
Bedford, Cannon, Clay, De Kalb, Giles, Jackson, Macon, Overton, Pickett, Putnam, Smith, Warren, White	1.52
Bledsoe, Coffee, Cumberland, Fentress, Grundy, Lincoln, Moore, Van Buren	1.53
Anderson, Campbell, Franklin, Marion, Morgan, Rhea, Roane, Scott, Sequatchie	1.54
Bradley, Claiborne, Grainger, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Knox, Loudon, McMinn, Meigs, Union	1.55
Blount, Carter, Cocke, Greene, Johnson, Monroe, Polk, Sevier, Sullivan, Unicoi, Washington	1.56

WEST VIRGINIA

Cabell, Mason	1.47
Jackson, Pleasants, Wood	1.48
Brooke, Hancock, Marshall, Ohio, Tyler, Wetzel	1.49
Putnam, Wayne	1.50
Lincoln	1.52
All other counties	1.54

WISCONSIN

Buffalo, Crawford, Grant, La Crosse, Pepin, Pierce, Richland, Trempealeau, Vernon	1.32
Chippewa, Dunn, Eau Claire, Iowa, Jackson, Lafayette, Monroe, St. Croix	1.33
All other counties	1.35

(b) *Loan settlement value.* A settlement value for corn delivered in satisfaction of a loan will be established on the basis of grades determined under the U. S. Grain Standards.

(1) Corn grading No. 3, or No. 4 on test weight only, will have a settlement value equal to the basic loan and purchase rate set forth in paragraph (a) of this section.

(2) Premiums: Corn grading higher than No. 3 will have a settlement value determined by adding to the established rates in paragraph (a) of this section, the following premiums:

Grade No. 1—One cent (1¢) per bushel.
Grade No. 2—One-half cent (½¢) per bushel.

(3) Discounts: The following discounts apply to corn delivered in satisfaction of a loan. Corn grading lower than No. 3 (except for No. 4 on test weight only) will have a settlement value determined by subtracting from the rates in paragraph (a) of this section, the following discounts:

Schedule of Discounts for Yellow, White, and Mixed Corn

Grade No. 4—One cent (1¢) per bushel.
Grade No. 5—Two cents (2¢) per bushel.

Mixed corn. Corn otherwise eligible will have a discount of (2¢) per bushel if it grades "mixed."

SAMPLE GRADE

Minimum test weight (pounds)	Moisture (percent)	Total damaged (percent)	Heat damaged (percent)	Discount rate per bushel (cents)
44	17.5	15.1-19.9	5	3
44	17.5	20.0-24.9	5	4
44	17.5	25.0-29.9	5	6
44	17.5	30.0-34.9	5	8
44	17.5	35.0-40.0	5	10

Any lot of corn which grades "sample" solely on account of stones and/or cinders or which is musty, or which has any commercially objectionable foreign odor, or cockle burrs, or rodent excreta, will be subject to a discount of one (1) cent per bushel. This one cent will be an additional discount if the corn otherwise grades "sample" due to any of the factors shown in the above schedule. Any lot of corn grading "weevily" will be subject to a discount of one-half (½) cent per bushel. This one-half cent discount will be in addition to any discount otherwise applicable.

Discounts will be determined by the Commodity Credit Corporation for all corn grading sour or heating or otherwise not coming within the classification of this schedule of discounts.

(c) *Purchase price.* The purchase price for corn delivered under a purchase agreement will be established on the basis of grades determined under the U. S. Grain Standards. In the case of corn stored in warehouses, whether terminal, subterminal or at country points, the purchase rate will be that established for the county in which the elevator is located. No adjustment will be made in the purchase rate for freight paid in case of rail movement.

(1) Corn grading No. 3, or No. 4 on test weight only, will have a purchase price equal to the basic loan rate set forth in paragraph (a) of this section.

(2) Premiums. Corn grading higher than No. 3 will have a purchase price determined by adding to the established rates in paragraph (a) of this section the following premiums:

Grade No. 1—One cent (1¢) per bushel.
Grade No. 2—One-half (½¢) per bushel.

(3) Discounts. Corn otherwise eligible under the purchase agreement will have a discount of (2¢) per bushel if it grades "mixed."

(d) *Storage allowance.* There shall be no storage allowance on corn under either the loan or purchase program.

SCHEDULE OF MAXIMUM CRIB WIDTHS FOR SAFE STORAGE OF CORN

The following crib widths are recommended as the maximum widths for safe storage of corn in the respective areas:

Illinois

6-foot area—Lake and McHenry Counties.
7-foot area—Boone, Carroll, Cook, De Kalb, Du Page, Jo Daviess, Kane, Kankakee, Kendall, Lee, Ogle, Stephenson, Whiteside, Will, and Winnebago.
8-foot area—All other counties.

Indiana

6-foot area—Allen, Elkhart, De Kalb, Kosciusko, La Porte, Lagrange, Marshall, Noble, Starke, Steuben, Saint Joseph, and Whitley.
7-foot area—Adams, Blackford, Carroll, Cass, Clinton, Delaware, Fayette, Franklin, Fulton, Grant, Hamilton, Hancock, Henry, Howard, Huntington, Jasper, Jay, Lake, Madison, Miami, Newton, Porter, Pulaski, Randolph, Rush, Tippecanoe, Tipton, Union, Wabash, Wayne, Wells, and White.
8-foot area—All other counties.

Iowa

6-foot area—Allamakee, Clayton, Howard, and Winneshiek.
7-foot area—Buchanan, Black Hawk, Bremer, Butler, Cerro Gordo, Chickasaw, Clinton, Delaware, Dickinson, Dubuque, Emmet, Fayette, Floyd, Franklin, Hancock, Jackson, Jones, Kossuth, Mitchell, Osceola, Winnebago, and Worth.
8-foot area—All counties not listed in other three areas.
9-foot area—Adams, Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie, Shelby, and Taylor.

Michigan

6-foot area—All counties.

Minnesota

6-foot area—All counties not in 7-foot area
7-foot area—Brown, Blue Earth, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Rock, Watonwan, Redwood, and Yellow Medicine.

Missouri

8-foot area—All counties except those in the 9-foot area.
9-foot area—Andrew, Atchison, Bates, Barton, Buchanan, Cass, Clay, Clinton, De Kalb, Gentry, Holt, Jackson, Jasper, McDonald, Newton, Nodaway, Platte, Vernon, and Worth.

Nebraska

8-foot area—Cedar, Dakota, Dixon, Thurston, and Wayne.
9-foot area—All counties not listed in the other two areas.
10-foot area—Adams, Buffalo, Clay, Chase, Custer, Dawson, Dundy, Fillmore, Franklin, Fontier, Furnas, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Howard, Jefferson, Kearney, Keith, Lincoln, Merrick, Nuckolls, Phelps, Perkins, Redwillow, Saline, Sherman, Thayer, and Webster.

Ohio

6-foot area—Allen, Ashland, Ashtabula, Carroll, Columbiana, Coshocton, Cuyahoga, Crawford, Defiance, Erie, Fulton, Geauga, Hancock, Hardin, Harrison, Henry, Holmes, Huron, Jefferson, Knox, Lake, Lorain, Lucas, Marion, Mahoning, Medina, Morrow, Paulding, Putnam, Portage, Ottawa, Richland, Sandusky, Stark, Seneca, Summit, Trumbull, Tuscarawas, Van Wert, Wayne, Williams, Wood, and Wyandot.
7-foot area—All other counties.

South Dakota

7-foot area—Brookings, Deuel, Grant, Minnehaha, Moody, and Roberts.
8-foot area—Bon Homme, Charles Mix, Clark, Clay, Codington, Davison, Day, Douglas, Hamlin, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Marshall, Miner, Turner, Union, and Yankton.
9-foot area—All other counties.

Wisconsin

6-foot area—All counties.

All Other Areas

The maximum crib width acceptable as safe storage for corn in all other areas shall be the widths as recommended by the county committee of the respective county.

[SEAL] C. C. FARRINGTON,
Acting President,
Commodity Credit Corporation.

NOVEMBER 20, 1947.

[F. R. Doc. 47-10413; Filed, Nov. 25, 1947; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 1]

PART 610—IFR ALTITUDE MINIMUMS

CHANGE OF EFFECTIVE DATE

The effective date of Part 610 (12 F. R. 7801) is hereby changed to November 29, 1947.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 47-10477; Filed, Nov. 25, 1947; 8:46 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter D—Employment Taxes

[T. D. 5592]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

CHANGE OF TAX RATES UNDER FEDERAL INSURANCE CONTRIBUTIONS ACT FOR 1948 AND SUBSEQUENT YEARS

In order to conform Regulations 106 (26 CFR, Part 402), relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code), to sections 1, 2, and 6 of the Social Security Act Amendments of 1947 (Pub. Law 379, 80th Cong.), approved August 6, 1947, such regulations are amended as follows:

PARAGRAPH 1. Immediately preceding § 402.201 [26 CFR 402.201], the following is inserted:

SECTION 6 OF PUBLIC LAW 379 (80TH CONGRESS), APPROVED AUGUST 6, 1947

This act may be cited as the "Social Security Act Amendments of 1947."

PAR. 2. Section 402.201 is amended by inserting after paragraph (p), added by Treasury Decision 5566, approved June 23, 1947, the following new paragraph:

§ 402.201 *General definitions and use of terms.* * * *

(q) *"Social Security Act Amendments of 1947"* means the act approved August 6, 1947 (Pub. Law 379, 80th Cong.).

PAR. 3. Immediately preceding § 402.301, the following is inserted:

SECTION 1 OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1947

That clauses (1), (2), and (3) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400), as amended, are hereby amended to read as follows:

(1) With respect to wages received during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 per centum.

(2) With respect to wages received during the calendar years 1950 and 1951, the rate shall be 1½ per centum.

(3) With respect to wages received after December 31, 1951, the rate shall be 2 per centum.

PAR. 4 Section 402.302, as amended by Treasury Decision 5566, is further amended to read as follows:

§ 402.302 *Rates and computation of employees' tax.* The rates of employees' tax applicable for the respective calendar years are as follows:

	Percent
For the calendar years 1940 to 1949, both inclusive	1
For the calendar years 1950 and 1951	1½
For the calendar year 1952 and subsequent calendar years	2

The employees' tax is computed by applying to the wages received by the employee the rate in effect at the time such wages are received.

Example. During 1949 A is an employee of B and is engaged in the performance of services which constitute employment (see § 402.203). In the following year, 1950, A receives from B $1,000 as remuneration for services performed by A in the preceding year. The tax is payable at the 1½ percent rate in effect for the calendar year 1950 (the year in which the wages are received) and not at the 1 percent rate which is in effect for the calendar year 1949 (the year in which the services are performed).

PAR. 5. Immediately preceding § 402.401 the following is inserted:

SECTION 2 OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1947

Clauses (1), (2), and (3) of section 1410 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1410), as amended, are hereby amended to read as follows:

(1) With respect to wages paid during the calendar years 1939 to 1949, both inclusive, the rate shall be 1 per centum.

(2) With respect to wages paid during the calendar years 1950 and 1951, the rate shall be 1½ per centum.

(3) With respect to wages paid after December 31, 1951, the rate shall be 2 per centum.

PAR. 6. Section 402.402, as amended by Treasury Decision 5566, is further amended to read as follows:

§ 402.402 *Rates and computation of employers' tax.* The rates of employers' tax applicable for the respective calendar years are as follows:

	Percent
For the calendar years 1940 to 1949, both inclusive	1
For the calendar years 1950 and 1951	1½
For the calendar year 1952 and subsequent calendar years	2

The employers' tax is computed by applying to the wages paid by the employer the rate in effect at the time such wages are paid.

(Sec. 1429 of the Internal Revenue Code (53 Stat. 178; 26 U. S. C. 1429) and sections 1, 2, and 6 of the Social Security Act Amendments of 1947 (Pub. Law 379, 80th Cong.), approved Aug. 6, 1947)

Because the amendments made by this Treasury decision merely give effect to the change in the rates of the taxes under the Federal Insurance Contributions Act made by sections 1 and 2 of the Social Security Act Amendments of 1947, it is hereby found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 20, 1947.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 47-10436; Filed, Nov. 25, 1947; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Secretary of Defense

ORDER AUTHORIZING TRANSPORTATION BY MILITARY AND NAVAL AIRCRAFT

Pursuant to the authority vested in me by the National Security Act of 1947 (act of July 26, 1947; Public Law 253, 80th Cong.) and Executive Order 9886 of August 22, 1947, it is hereby ordered as follows:

1. The Department of the Air Force and the Department of the Navy may provide air transportation, without reimbursement therefor, when the traffic is of official concern to the National Military Establishment.

2. In cases not covered by the preceding paragraph, the Department of the Air Force and the Department of the Navy may provide air transportation, with reimbursement therefor and subject to other restrictions thereon in accordance with the provisions of applicable law, when the traffic is of official concern to other Government departments or agencies, or to the legislative or the judicial branch of the Government, except as noted in paragraph 4.

3. In order to facilitate the transition from war to peace, non-governmental passengers and cargo not within the scope of the foregoing provisions may be furnished air transportation by the Department of the Air Force and the Department of the Navy, to or from places outside the continental United States, with reimbursement therefor at not less than the current commercial rates including taxes, upon certification by the Department of State or by the Department of the Army, Air Force or Navy acting for the Department of State, that the furnishing of such transportation is in the national interest, except as noted in paragraph 4.

4. As a general policy the aviation organization of the armed forces shall not be placed in a position of competing with United States commercial air transportation. Therefore, in no case will air transportation under the provisions of paragraphs 2 and 3 above be provided on any given route if the Civil Aeronautics Board certifies that, in its opinion, United States civil air carriers adequate to handle such traffic are in operation on that route.

5. The Secretaries of the Army, Navy, and Air Force shall prescribe appropriate joint regulations to carry out the purposes of this order.

6. This order shall be effective at 12:00 noon on 24 November 1947.

JAMES FORRESTAL,
Secretary of Defense.

NOVEMBER 18, 1947.

[F. R. Doc. 47-10437; Filed, Nov. 25, 1947; 8:59 a. m.]

Chapter VI—Office of Selective Service Records

[Amdt. 8]

PART 606—GENERAL ADMINISTRATION

SUPPLYING INFORMATION FROM RECORDS

Office of Selective Service Records Regulations, First Edition, are hereby amended in the following respect:

Amend subparagraph (11) of paragraph (b) of § 606.14 (12 F. R. 6873) to read as follows:

§ 606.14 *Supplying information to Federal agencies and officials.* * * *

(b) * * *

(11) *Treasury Department.* The Treasury Department may obtain such information upon the request of (i) the Secretary of the Treasury, (ii) the Commissioner of Customs, (iii) the Chief, United States Secret Service, (iv) the Chief, Intelligence Unit, Bureau of Internal Revenue, (v) the Commissioner, Bureau of Narcotics, (vi) the Deputy Commissioner, Alcohol Tax Unit, (vii) a Supervising Customs Agent, (viii) a Supervising Agent, Secret Service, (ix) a Special Agent in Charge, Intelligence Unit, Bureau of Internal Revenue, (x) a District Supervisor, Bureau of Narcotics, (xi) a District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue, (xii) an Internal Revenue Agent in Charge, (xiii) a Collector of Internal Revenue, or (xiv) a Deputy Collector of Internal Revenue. (Pub. Law 26, 80th Cong.; 61 Stat. 31)

The foregoing amendment to the Office of Selective Service Records Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

NOVEMBER 20, 1947.

[F. R. Doc. 47-10429; Filed, Nov. 25, 1947; 8:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

EVIDENCE REQUIRED FROM A FOREIGN COUNTRY AND RELEASE OF ORIGINAL DOCUMENTS FROM FILES OF VETERANS' ADMINISTRATION FOR AUTHENTICATION

1. In § 2.1032 (12 F. R. 3225), paragraph (a) is amended to read as follows:

§ 2.1032 *Evidence required from a foreign country and release of original documents from files of the Veterans' Administration for authentication.* (a) (1) Except as provided in subparagraphs (2) and (3) of this paragraph, where an affidavit or document is executed by or before an official in a foreign country, the signature of that official must be authenticated either by a United States consular officer in that jurisdiction or by the Department of State. Affidavits or other documents emanating from foreign countries or jurisdictions where the United States has no consular representative may be authenticated in one of the following manners:

(i) *By a consular agent of a friendly government.* The signature and seal of the official of that country may be authenticated by a diplomatic or consular officer of a friendly government stationed in that country, whereupon the signature and seal of the official of the friendly government may be authenticated by the Department of State as provided below:

(ii) *By the nearest American consul.* The document may be forwarded to the nearest American consul who will attach a certificate showing the result of his investigation concerning its authenticity, and such certificate, if favorable, will be accepted by the Veterans' Administration.

(2) Authentication shall not be required:

(i) On documents submitted through and approved by the Deputy Minister of Veterans' Affairs, Department of Veterans' Affairs, Ottawa, Canada; or

(ii) When it is indicated that the attesting officer is authorized to administer oaths for general purposes and the paper bears his signature and seal; or

(iii) When the document is executed before a Veterans' Administration employee authorized to administer oaths as provided by § 2.1030 (b) located in a foreign country; or

(iv) When a copy of a public or church record from any foreign country purports to establish birth, marriage, divorce or death, provided it bears the signature and seal of the custodian of such record and there is no other evidence in the file which would serve to create doubt as to the correctness of the information shown on the record; or

(v) When a copy of a public or church record from one of the countries comprising the United Kingdom, namely: England, Scotland, Wales or Northern Ireland, purports to establish birth, marriage or death, provided it bears the signature or seal or stamp of the custodian of such record and there is no other evidence in the file which would serve to create doubt as to the correctness of the information shown on the record.

(3) The authenticity of notarizations of affidavits prepared in the Republic of the Philippines may be certified by a Veterans' Administration representative of the regional office or a Veterans' Administration officer located in the Philippines who is authorized to administer oaths as provided by § 2.1030 (b).

(R. S. 471, 43 Stat. 608, 46 Stat. 1016, 48 Stat. 9; 38 U. S. C. 2, 11, 11a, 426, 707)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

NOVEMBER 26, 1947.

[F. R. Doc. 47-10471; Filed, Nov. 25, 1947; 8:46 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

Subchapter C—Procedures and Forms

PART 51—PROCEDURES BEFORE THE SOLICITOR

SUBPART A—RULES OF PRACTICE IN CASES ARISING UNDER POSTAL FRAUD, LOTTERY, AND FICTITIOUS STATUTES

Subpart A (39 CFR, 1946 Supp., 51.1–51.28 inclusive) is revised to read as follows:

Sec.
51.1 Offices.
51.2 Hours.
51.3 Communications.
51.4 Trial Examiners.
51.5 Hearings.
51.6 Admission to practice.
51.7 Complaints.
51.8 Notice of hearing.
51.9 Service of complaint and notice.
51.10 Answers.
51.11 Compromises.
51.12 Appearances.
51.13 Amendment of pleadings.
51.14 Continuances.
51.15 Evidence.
51.16 Objections.
51.17 Written statements.
51.18 Subpoenas.
51.19 Witness fees.
51.20 Prehearing procedure.
51.21 Transcript.
51.22 Oral argument.
51.23 Briefs.
51.24 Petitions to reopen proceedings.
51.25 Decision and order.
51.26 Supplementary fraud, lottery, and fictitious orders.
51.27 Foreign fraud, lottery, and fictitious orders.
51.28 Revocation and modifications of orders.

AUTHORITY: §§ 51.1 to 51.28, inclusive, issued under secs. 3–5, 25 Stat. 873, 874, secs. 2, 3, 26 Stat. 466, sec. 4, 28 Stat. 964, secs. 213, 215, 35 Stat. 1129, 1130; 39 U. S. C. 255–257, 259, 18 U. S. C. 336, 338.

§ 51.1 *Offices.* The Office of the Solicitor is located in Room 3226, Post Office Department Building, 12th Street and Pennsylvania Avenue, N. W., Washington, D. C.

§ 51.2 *Hours.* The Office of the Solicitor is open on each business day, except Saturday, from 8:45 a. m. to 5:15 p. m.

§ 51.3 *Communications.* All communications should be addressed to "The Solicitor, Post Office Department, Washington 25, D. C."

§ 51.4 *Trial examiners.* Trial examiners, one of whom shall be known as the chief trial examiner, shall be designated by the Solicitor to preside at the hearings of cases involving alleged violations of the postal fraud, lottery, or fictitious name or address statutes (39 U. S. C. 259, 732, and 255). Trial examiners shall rule upon procedural motions and requests and similar matters; hold conferences for the settlement or simplification of the issues; rule upon offers of proof and receive oral or documentary evidence; regulate the course of the hearing and the conduct of attorneys and witnesses; require, when they deem necessary, oral argument upon any question raised in the course of the hearing or at the close thereof, and limit such argument as to time and subject matter.

Hearings shall be conducted in such a way as to afford to the parties a reasonable opportunity to be heard on matters relevant to the issues involved and to obtain a clear and orderly record.

§ 51.5 *Hearings.* Hearings are held in Room 3237, Post Office Department, Washington, D. C., and in such other rooms as may be designated by the Solicitor.

§ 51.6 *Admission to practice.* Attorneys appearing in behalf of respondents shall be required, prior to such appearance, to obtain permission to practice before the Post Office Department in accordance with the "Procedure Governing the Admission of Attorneys to Practice before the Post Office Department" (11 F. R. 12797): *Provided,* That the Solicitor may waive this requirement when in his discretion the circumstances so warrant. Upon request the Solicitor will furnish an applicant a copy of the rules of admission to practice.

§ 51.7 *Complaints.* Whenever the Chief of the Trial Section of the Office of the Solicitor shall have reasonable causes to believe that any person, partnership, corporation, or association is using the mails in the operation of an enterprise which is in violation of the provisions of the postal fraud, lottery, or fictitious name or address statutes, he shall prepare and submit to the Solicitor a complaint naming the party or parties accused, specifying the alleged violations in such manner as to enable the accused to make answer thereto, and recommending that an order be issued against such party by the Postmaster General pursuant to the provisions of the statutes under which the proceedings are brought. The party accused shall be known as the respondent.

§ 51.8 *Notice of hearing.* If the Solicitor shall determine that the complaint states facts sufficient to show probable cause to believe that the postal fraud, lottery, or fictitious name or address statutes are being violated as alleged in the complaint, he shall issue to the respondent a notice of a hearing to be held upon a specified date at which he may appear and make defense to the complaint and oppose the recommendation of the Chief of the Trial Section that an order be issued against him by the Postmaster General pursuant to the provisions of the statutes under which the proceedings are brought.

§ 51.9 *Service of complaint and notice.* A duplicate original of the notice of hearing shall be transmitted to the postmaster at the office of address of the respondent, and shall be delivered to the respondent by said postmaster or an employee of his post office; and a receipt acknowledging delivery of the notice shall be secured from the respondent or his agent, which receipt shall be forwarded to the Solicitor of the Post Office Department and shall become a part of the record in the case. Accompanying the notice of hearing shall be a copy of the complaint, a copy of the postal statutes involved, and a copy of this subpart. In case service cannot be secured in such manner, it shall be made as the chief trial examiner directs.

§ 51.10 *Answers.* (a) The original and two copies of the respondent's answer shall be filed with the Solicitor on or before the date set forth in the notice of hearing. The answer shall contain a concise statement admitting, denying, or explaining each of the charges set forth in the complaint. The answer shall be signed by the respondent or his attorney, or, in the case of a corporation or association, by a responsible officer thereof. The answer shall set forth the respondent's address, and the name and address of his attorney, if he is so represented. If the respondent does not intend to appear at the hearing, he should so state in his answer.

(b) If the respondent fails to file an answer as directed in the notice of hearing, he shall be deemed to be in default, and further proceedings shall be had in accordance with § 51.21 (b).

§ 51.11 *Compromises.* (a) If the respondent desires to dispose of the charges without a hearing, he may apply for permission to file an affidavit providing for the discontinuance and abandonment of the enterprise charged to be unlawful upon such terms and conditions as may be prescribed by the Solicitor.

(b) An application for permission to file an affidavit of discontinuance should be filed before the date set for the hearing on the charges. Permission to dispose of a pending case on such basis shall rest in the discretion of the Solicitor and the granting of an application shall depend upon the nature of the charges and the circumstances involved.

§ 51.12 *Appearances.* (a) A respondent may appear and be heard in person or by attorney. A partnership may appear and be represented by a member thereof or by attorney. A corporation or association may appear by a duly authorized officer or by attorney.

(b) An attorney appearing in behalf of a respondent must file a written authorization from the respondent to represent him in the proceeding.

(c) An attorney representing a respondent shall enter his appearance in duplicate on the form prescribed by the Solicitor prior to participating in the proceeding.

(d) Where a respondent appears by attorney the service of all subsequent pleadings, notices, and other papers shall be effected by mailing the same to his attorney at the post office address stated in his appearance.

§ 51.13 *Amendment of pleadings.* An amendment of a pleading may be offered by any party at any time prior to the close of the hearing and such amendment may be allowed in the discretion of the trial examiner.

§ 51.14 *Continuances.* A continuance will be granted only for substantial cause shown, and then only for a short period.

§ 51.15 *Evidence.* (a) Except as otherwise provided herein, the rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the United States shall govern: *Provided, however,* That such rules may be relaxed by the trial examiner to insure an adequate and fair hearing.

(b) The testimony of witnesses shall be under oath or affirmation and witnesses shall be subject to cross-examination.

(c) Agreed statements of fact may be received in evidence.

(d) Official notice or knowledge may be taken of all matters of which judicial notice or knowledge may be taken by the Federal Courts.

(e) Medical or other scientific books or essays will not be admitted in evidence in lieu of oral expert testimony. Where such publications are cited or relied upon by an expert witness on direct examination, they are admissible on cross-examination for the sole purpose of impeaching the witness as to the matter upon which they were cited or relied upon.

(f) Affidavits containing opinions or statements of an affiant will not be received in evidence, except as hereinafter provided.

(g) Testimonials will not be received in evidence.

§ 51.16 *Objections.* Objections to the admission of evidence shall include a brief statement of the grounds thereof. Formal exceptions to the rulings of the trial examiner are unnecessary. The record shall not include argument upon objections to the admission of evidence or to rulings of the trial examiner except as ordered by the trial examiner.

§ 51.17 *Written statements.* The trial examiner may receive in evidence, in lieu of oral testimony, the written statement of a competent witness provided that such statement is relevant to the issues, and further provided that the witness whose statement is offered shall testify under oath at the hearing that the statement is in all respects true, and, in the case of expert witnesses, that the statement correctly states his opinion or knowledge concerning the matters in issue.

§ 51.18 *Subpoenas.* The Post Office Department is not authorized by law to issue subpoenas requiring the attendance or testimony of witnesses.

§ 51.19 *Witness fees.* The Post Office Department cannot pay witness fees or expenses to witnesses for a respondent.

§ 51.20 *Pre-hearing procedure.* In any proceeding the Chief Trial Examiner in his discretion may direct the parties or their attorneys to appear before a trial examiner for a conference to consider:

(a) The simplification of the issues;

(b) The necessity or desirability of amendments to the pleadings;

(c) The possibility of obtaining admissions of fact and of consenting to the admissibility of documentary evidence without formal identification;

(d) The limitation of the number of expert witnesses;

(e) Such other matters as may aid in the disposition of the proceeding.

The trial examiner shall make an order which recites the action taken at the conference, the amendments allowed

to the pleadings, and the agreements made by the parties as to any of the matters considered, and which limits the issues for hearing to those not disposed of by admissions or agreements of counsel; and such order when entered shall control the subsequent course of the proceeding, unless modified at the hearing to prevent manifest injustice.

§ 51.21 *Transcript.* (a) The Post Office Department shall cause a record and transcript to be made of all proceedings in which the respondent files an answer and appears at the hearing either in person or by counsel. The transcript, together with all pleadings, orders, exhibits, briefs, and other documents filed in the proceeding, shall constitute the official record of the case upon which the final decision will be based.

(b) In proceedings in which the respondent fails to file an answer or, having made answer, fails to appear at and participate in the hearing, the trial examiner may prepare and certify a summary of the proceedings and the testimony of the witnesses appearing for the Government, identifying therein documentary evidence received. This summary of the proceedings and the testimony, together with all pleadings, orders, exhibits, briefs, and other documents filed in the proceeding, shall constitute the official record upon which the final decision will be based.

§ 51.22 *Oral argument.* The trial examiner shall permit oral argument on behalf of the parties to the proceeding at the conclusion of the hearing, and he shall limit such oral argument as to time and subject matter.

§ 51.23 *Briefs.* The Government shall have the right to open and close the arguments. The trial examiner in his discretion may permit the filing of briefs in any case where answer has been filed, and he shall give notice of such permission to each party from whom he desires a brief, fixing the time in said notice within which briefs must be filed; and he may indicate in such notice what issues of law or fact he desires to be argued in such briefs. If the trial examiner permits the filing of briefs, he in his discretion may direct that the respondent be loaned a copy of the transcript or the summary of the proceedings for use in the preparation thereof. The copy of the transcript or the summary of the proceedings so loaned shall be returned with the respondent's brief.

§ 51.24 *Petitions to reopen proceedings.* (a) An application to reopen the proceedings for the purpose of offering additional evidence or for further argument must be made by petition, expeditiously filed with the trial examiner, stating specifically the grounds relied upon.

(b) A petition to reopen the hearing for the purpose of offering further evidence must (1) state the relevancy, nature, and purpose of the evidence and the names and addresses of the witnesses by whom it will be adduced; (2) show that such evidence would not be merely cumulative, and that the failure previously to present such evidence was not due to lack of reasonable diligence; and (3) show good reason why the petition should be granted.

(c) Such petition shall be accompanied by a sworn statement of the party or his attorney that the petition is filed in good faith and not for purposes of delay.

§ 51.25 *Decision and order.* Upon the basis of the official record, the trial examiner shall make findings of fact pertinent to the issues involved, together with his recommendation as to the action to be taken. The trial examiner's findings and recommendation, together with the official record, shall be transmitted to and considered by the Solicitor, who shall then state in writing his own recommendation. In cases where the Solicitor recommends the issuance of a fraud, lottery, or fictitious order by the Postmaster General, he shall transmit his recommendation, together with the official record, to the Postmaster General for final decision and action.

§ 51.26 *Supplementary fraud, lottery, and fictitious orders.* Whenever substantial evidence is received by the Solicitor that any person or concern is evading or attempting to evade the provisions of any fraud, lottery, or fictitious order theretofore issued by the Postmaster General after notice and hearing, such evidence shall be submitted forthwith to a trial examiner who shall make findings of fact based thereon, together with his recommendation as to the action to be taken. The trial examiner's findings and recommendation, together with said evidence, shall be transmitted to and considered by the Solicitor, who shall then state in writing his own recommendation. In any case where the Solicitor recommends the issuance of a supplemental fraud, lottery, or fictitious order by the Postmaster General against a name or names then and there being employed for the purpose of continuing the use of the mails in the operation of the unlawful scheme against which the existing order was directed, the Solicitor shall transmit his recommendation, together with said evidence, to the Postmaster General for final decision and action.

§ 51.27 *Foreign fraud, lottery, and fictitious orders.* Whenever substantial evidence is received by the Solicitor that any person or concern in a foreign country is using or causing the United States mails to be used in the operation of any enterprise in violation of the postal fraud, lottery, or fictitious name or address statutes, such evidence shall be submitted forthwith to a trial examiner who shall make findings of fact based thereon, together with his recommendation as to the action to be taken. The trial examiner's findings and recommendation, together with said evidence, shall be transmitted to and considered by the Solicitor, who shall then state in writing his own recommendation. In any case where the issuance of an order by the Postmaster General, directed against the operation of such unlawful enterprise, is recommended by the Solicitor, he shall transmit his recommendation, together with said evidence to the Postmaster General for final decision and action.

§ 51.28 *Revocation and modifications of orders.* Any person or concern against whom a fraud, lottery, or fictitious name order has been issued may file application for the revocation or modification of such order by the elimination therefrom of any name or names against which the provisions of the order apply. The application should be addressed to the Solicitor of the Post Office Department, Washington 25, D. C. The applicant must make a sworn statement to the effect that the unlawful enterprise against which the order is directed is no longer being conducted under the name or names sought to be relieved of the provisions of the order and that the unlawful scheme will not be resumed in the future under such names or any other names. If, after investigation and consideration of such application, it shall appear that the application has been made in good faith and that the granting thereof will not result in further operation of the unlawful enterprise involved, the Solicitor may recommend to the Postmaster General revocation of the fraud, lottery, or fictitious name order in question or so much thereof as may be proper under the facts of the particular case and the exigencies of properly enforcing the postal laws involved therein. Applications will be promptly considered and will be handled as expeditiously as practicable and with due recognition of the pertinent circumstances and the nature of the business involved.

The changes made by this revision of Subpart A shall become effective upon publication in the FEDERAL REGISTER.

Dated: November 20, 1947.

[SEAL] ROBERT E. HANNEGAN,
Postmaster General.

[F. R. Doc. 47-10402; Filed, Nov. 25, 1947; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular No. 1666]

PART 250—PUBLIC SALES

The following text is substituted for Part 250:

Sec.
250.1 Statutory authority.
250.2 Definitions.
250.3 Application.
250.4 Action upon the application or in the absence of application.
250.5 Effect of application.
250.6 Land subject to sale as isolated tracts.
250.7 Land subject to sale as mountainous or too rough for cultivation; qualifications of applicant.
250.8 Mineral lands.
250.9 Publication of notice; time and proof of publication; posting required.
250.10 The bidding.
250.11 Action at close of bidding.
250.12 Action after purchaser is declared.
250.13 Appeals.

AUTHORITY: §§ 250.1 to 250.13, inclusive, issued under R. S. 453, 2478; 43 U. S. C. 2, 1201.

§ 250.1 *Statutory authority.*[1] The sale at public auction of isolated or disconnected tracts of public land not exceeding 1,520 acres, and tracts not isolated, of not exceeding 760 acres, the greater parts of which are mountainous or too rough for cultivation, is authorized by section 2455 of the Revised Statutes, as amended by section 14 of the act of June 28, 1934 (48 Stat. 1274; 43 U. S. C. 1171) and the act of July 30, 1947 (Public Law 273, 80th Cong.).

§ 250.2 *Definitions.* When used in this part:

(a) "Secretary" means Secretary of the Interior.

(b) "Director" means Director, Bureau of Land Management.

(c) "Manager" means Manager of the land office for the district in which the land is situated. Where there is no district land office in a state, it means the Director.

(d) "Applicant" or "purchaser" includes an individual, a partnership, an association or a corporation.

§ 250.3 *Application.* An application to have tracts ordered into the market must be executed in duplicate on Form 4–008e. The application must be filed with the manager of the land office for the district within which the land is situated. If the land is in a State in which there is no district land office, the application must be filed with the Director.

The application need not be under oath but must be signed by the applicant and two corroborating witnesses having personal knowledge of the facts stated therein.

§ 250.4 *Action upon the application or in the absence of application.* If an application is not properly executed or not corroborated, if the applicant does not show himself qualified, or if the tract appears not to be subject to disposition, the application will be rejected. If part of the tract is appropriated, the application will be rejected as to that part, and, in the absence of an appeal, the description thereof eliminated from the application, and such further action will be taken as though it had never been included therein.

The Director may classify under section 7 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U. S. C. 315f) as amended, land for offering under this part, and he may authorize such offering of the land for sale if he determines, in accordance with the existing regulations and procedures, that such land is suitable for disposal as an isolated or as a rough or mountainous tract, as the case may be.

The Director may authorize the offering of an isolated tract for sale either upon application or on his own motion.

§ 250.5 *Effect of application.* The filing of an application in conformity with the regulations in this part will not segregate the lands applied for from other application under the public land laws, or defeat a prior valid right initiated under any such law. However, until the issuance of a cash certificate, the Director may at any time determine that the lands should not be sold, the applicant or any bidder has no contractual or other rights as against the United States, and no action taken will create any contractual or other obligation of the United States.

§ 250.6 *Land subject to sale as isolated tracts.* There is no limitation as to the number of isolated tract applications which may be filed, nor as to the amount of such land which may be applied for or purchased by any one person or group. An application may include several incontinguous tracts, but it may not embrace an aggregate area in excess of 1520 acres, and tracts with an area over 1520 acres will not be ordered into the market. Each isolated tract will be offered separately and a separate cash certificate will be issued for each tract, except to the extent that they are bought by the same person.

As a general rule, no tract will be deemed isolated unless it is completely surrounded by lands held in non-Federal ownership, or is so effectively separated from other federally owned lands by some permanent withdrawal or reservation as to make its use with such lands impracticable. A tract is considered isolated if the contiguous tracts are all patented, even though there are other public lands cornering upon the tract.

§250.7 *Land subject to sale as mountainous or too rough for cultivation; qualifications of applicant.* Legal subdivisions not exceeding 760 acres, the greater part of which is mountainous or too rough for cultivation, may be offered for sale only upon the application of any person who owns land or holds a valid entry on lands adjoining such tract and regardless of the fact that such tract may not be actually isolated.

An applicant for sale of a tract which is mountainous or too rough for cultivation must show that he is the owner of the whole title, that is, the fee owner, of land adjoining the land applied for, or that he holds a valid entry embracing adjoining land, in connection with which entry he has met the requirements of the law. A showing that the applicant owns cornering land or holds a valid entry of a cornering tract would not qualify him.

An application under this section may not embrace more than 760 acres. An applicant may file any number of applications provided the land applied for together with such land previously purchased does not exceed 760 acres in area. The limitation under this section relates only to applications under this section. In acting on applications for rough or mountainous tracts, regard will be had to the character of each subdivision applied for. An entire tract composed of more than one legal subdivision will not be offered upon the ground that the greater part of the tract is mountainous or too rough for cultivation, if taken as a whole.

§ 250.8 *Mineral lands.* Mineral lands may not be sold except under specific statutory authority which exists for the sale of lands valuable for certain minerals with a reservation of those minerals to the United States. The regulations relating to applications for the surface of such lands are contained in Part 102 of this chapter. They must be complied with whenever an application is filed for land, withdrawn, classified, or valuable for such minerals, where such land is embraced by mineral permits or leases, or applications for such permits or leases, or where the land lies within the geological structure of a producing oil or gas field.

The notice of sale for publication and posting will provide that the land will be sold subject to reservations to the United States of the appropriate minerals, and in accordance with the provisions of the applicable act or acts which authorize the making of the reservation. The cash certificate and patent will provide for such reservation and will refer to such act or acts.

§ 250.9 *Publication of notice; time and proof of publication; posting required.* Upon the issuance of a decision authorizing the sale, a notice for publication will be sent the applicant with instructions that he publish it at his expense in the newspaper designated. Payment for publication must be made by the applicant directly to the publisher. The notice must be published prior to the date of sale in the designated newspaper, if a daily paper, in the Wednesday issue for 5 consecutive weeks; if a weekly, in 5 consecutive issues; and if a semi-weekly or tri-weekly, in the issue of the same day of each week, for 5 consecutive weeks. The manager will cause a similar notice to be posted in his office during the entire period of publication.

The applicant must file in the district land office, prior to the date fixed for the sale, evidence that publication has been had for the required period. Such evidence may consist of the affidavit of the publisher, accompanied by a copy of the notice published.

§ 250.10 *The bidding.* The land will be offered for sale at public auction, at not less than its appraised value, at the time and place fixed in the public notice.

Bids may be made by the principal or his agent, either personally at the sale or by mail.

Bids sent by mail will be considered only if received at the district land office prior to the hour fixed for the sale. These bids must be enclosed in sealed envelopes and must be accompanied by certified checks or post office money or-

---

[1] The provisions of R. S. 2455 (43 U. S. C. 1171) authorizing public sales, were extended, with certain conditions, to the areas mentioned below, by the statutes indicated:

Area	*Statute*
Chippewa Indian lands, Minn.	Feb. 4, 1919 (40 Stat. 1055; 43 U. S. C. 1172).
Oregon and California railroad grant lands, Oreg., Class 3.	May 25, 1920 (41 Stat. 622; 43 U. S. C. 1174).
Oregon and California railroad grant and Coos Bay Wagon-road grant lands, Oreg.	Section 3, August 28, 1937 (50 Stat. 875).
Oklahoma	April 24, 1928 (45 Stat. 457; 43 U. S. C. 1171a).
Alabama coal lands	May 23, 1930 (46 Stat. 377; 43 U. S. C. 1171b).

ders for the amounts of the bids. The envelopes must be marked in the lower-left-hand corner as prescribed in the notice of sale. The envelopes containing the sealed bids will not be opened by the manager until the time fixed for the sale. However, he will note on each envelope the hour and date of its receipt.

The manager will commence the sale by reading the public announcement thereof and by opening the sealed bids and announcing such bids. He will then receive bids from the persons present.

All bidders are warned against violation of the provisions of section 59 of the United States Criminal Code, approved March 4, 1909 (35 Stat. 1099; 18 U. S. C. 113), prohibiting unlawful combination or intimidation of bidders.

§ 250.11 *Action at close of bidding*—(a) *Declaration of highest bidder.* When all persons present shall have ceased bidding, the manager will, in the usual manner, declare the bidding closed, subject to the preference right of purchase of owners of contiguous land (see paragraph (b) of this section), announce the amount of the highest bid and declare the offerer thereof (or his principal) the highest bidder, provided that the latter immediately pays to the manager the amount of the bid, if he has not already done so. In the absence of such payment, the manager will at once proceed with the sale, excluding the bid made by the highest bidder and starting with the next highest bid not withdrawn. In the event the bids of two or more persons sent by mail are the same in amount and are the highest offered, the first received, as shown by the hour and date noted on the envelope, will be accepted by the manager. In no event may the land be sold or a purchaser declared before the end of the 30-day period for the assertion by contiguous land owners of their preference right of purchase.

(b) *Preference right of purchase; declaration of purchaser.* The owners of contiguous lands have a preference right, for a period of 30 days after the highest bid has been received, to purchase the land offered for sale at the highest bid price or at three times the appraised price if three times such appraised price is less than the highest bid price. Such preference right may also be asserted at any time prior to the commencement of such period. Such preference right is not extended to the owner or owners of cornering lands.

(1) A preference right to purchase must be supported by proof of the claimant's ownership of the whole title to the contiguous lands (that is, he must show that he had the whole title in fee), and must be accompanied by the purchase price of the land.[1]

(2) If there is only one qualified preference right claimant, or if there are conflicting qualified preference right claimants and there is an amicable agreement among them, the manager will declare such claimant or claimants the purchasers.

(3) Where there is a conflict between two or more persons claiming a preference right of purchase, they will be allowed 30 days from receipt of notice within which to agree among themselves upon a division of the tracts in conflict by subdivisions. In the absence of an agreement, the Director will make a determination equitably apportioning the various subdivisions among the claimants, ordinarily so as to equalize as nearly as possible the tracts they should be permitted to purchase. Where only one subdivision is offered for sale and it adjoins the lands of two or more preference right claimants, it will generally be awarded to the applicant for the sale if he is a qualified preference right claimant; if he is not, it will be awarded to the first qualified person who properly asserts such a preference right within or prior to the 30-day preference right period. The manager will make the award by declaring the appropriate claimant or claimants purchasers of the land.

(4) If, by the end of the preference right period, no preference right has been asserted, the sale will be declared closed and the manager may declare the highest bidder the purchaser.

§ 250.12 *Action after purchaser is declared*—(a) *Payment of cost of publication by purchaser.* If the applicant for the sale is an unsuccessful bidder, the person awarded the land must reimburse and pay directly to him the amount expended for publication of notice and file evidence thereof in the district land office within 10 days from the date he is declared the purchaser. If the evidence is not furnished, the manager will reject the bid and will accept the bid next in order, subject to the same conditions. Where an equitable apportionment of the land is made between two or more claimants, pursuant to paragraph (b) of § 250.11, each of the claimants must bear an equal share of the expense.

(b) The purchaser must, within 10 days after he has been so declared, also file with the manager evidence that he is a citizen of the United States, or if a partnership, evidence of the citizenship of its members. If the purchaser is an unincorporated association, evidence must be filed that each of its officers are citizens. Such associations shall indicate the citizenship of each member. A corporation shall indicate the citizenship status and amount of stock held by each stockholder and furnish a certified copy of its articles of incorporation, showing that it is a corporation organized under the laws of the United States or any State, Territory or possession thereof and that the corporation is authorized to acquire and hold real estate in the State in which the land is situated.

If any appreciable number of the members of an unincorporated association are aliens or any appreciable percentage of the stock of a corporation is held by aliens, the bid of said association or corporation will be rejected.

(c) Where the purchaser has fully complied with the regulations in this part, the manager will issue a cash certificate.

§ 250.13 *Appeals.* An appeal pursuant to the rules of practice (Part 221 of this chapter) may be taken from any decision of the Manager to the Director, and, from the decision of the Director to the Secretary.

FRED W. JOHNSON,
Director.

Approved: November 19, 1947.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 47-10412; Filed, Nov. 25, 1947; 8:45 a. m.]

[Circular No. 1665]

PART 257—LEASE OR SALE OF SMALL TRACTS, NOT EXCEEDING FIVE ACRES, FOR HOME, CABIN, CAMP, HEALTH, CONVALESCENT, RECREATIONAL, OR BUSINESS SITES

MISCELLANEOUS AMENDMENTS

Sections 257.2 (d), 257.4, 257.5, 257.8 through 257.14, 257.16, and 257.18 through 257.21 of the regulations governing leases or sales under the act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, contained in Circular 1647, May 27, 1947, are amended as follows:

1. Sections 257.2 (d), 257.4, 257.8, 257.9, 257.14, 257.18 and 257.19 are amended by substituting the word "Director" for the words "Regional Administrator" wherever they appear.

2. Section 257.5 is amended by substituting the word "Director" for the words "Regional Administrator for the State in which the land is situated."

3. The first paragraph of § 257.10 is amended to read as follows:

§ 257.10 *Issuance of lease; option to purchase.* The manager will act on applications for and may issue leases upon lands, for periods not exceeding five years, which are classified for any purpose specified in the act, *Provided*, That (1) the applicant, upon the issuance of such lease, will have only one tract under the act and (2) the application covers a tract established by the order of classification. All other leases will be issued by the Director.

4. Section 257.11 is amended to read as follows:

§ 257.11 *Renewal of lease; preference rights.* The manager may act upon all applications to renew leases. He may issue such renewal leases for periods not exceeding five years, provided the land then is classified for the purpose specified in the original lease.

Upon the filing of an application for the renewal of a lease, not more than 6 months or less than 60 days prior to its expiration, the lessee or his duly approved successor in interest will be awarded a preference right to a new lease, upon such terms and for such duration as may be fixed by the manager, if it is determined that a new lease should

[1] Although one who holds a valid adjoining entry may file an application for the sale of lands which are mountainous or too rough for cultivation, he may not assert a preference right of purchase unless he has acquired the whole title to adjoining lands.

be granted. No option to purchase clause may be placed in the renewal lease if it is not in the original lease unless the lands have been classified for sale.

5. The first paragraph of § 257.12 is amended to read as follows:

§ 257.12 *Assignment of lease; subleases of leased lands.* The manager may approve assignments of leases and subleases of any lands, except where more than one tract would be assigned or subleased to an assignee or sublessee. In such case the assignment or sublease must be approved by the Director.

6. Section 257.13 is amended by substituting the word "manager" for the words "Regional Administrator."

7. Section 257.16 is amended by substituting the words "through the district land office" for the words "from the Regional Manager."

8. Section 257.20 is amended by substituting the word "Director" for the words "Regional Administrator of the region in which the lands are situated."

9. Section 257.21 is amended to read as follows:

§ 257.21 *Appeals.* An appeal pursuant to the rules of practice (Part 221 of this chapter) may be taken from the decision of any subordinate officer of the Bureau of Land Management to the Director, and from the Director's decision to the Secretary.

(52 Stat. 609; 43 U. S. C. 682a)

FRED W. JOHNSON,
Director.

Approved: November 19, 1947.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 47-10411; Filed, Nov. 25, 1947; 8:45 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Part 292]

EXEMPTION OF CARGO CARRIERS BETWEEN ALASKA AND CONTINENTAL UNITED STATES

NOTICE OF PROPOSED RULE MAKING

NOVEMBER 20, 1947.

Notice is hereby given that the Civil Aeronautics Board has under consideration the proposed addition to Part 292 of the Economic Regulations (14 CFR 292) of a new § 292.7 relating to the exemption of air carriers which engage in overseas air transportation of property only between the Territory of Alaska and the continental United States.

The principal features of the proposed regulation are explained in the attached Explanatory Statement.

The proposed new § 292.7 is set forth in the attached proposed rule.

This regulation is proposed under authority of sections 205 (a) and 416 (b) of the Civil Aeronautics Act of 1938, as amended (52 Stat. 984, 1004; 49 U. S. C. 425, 496).

Interested persons may participate in the proposed rule-making through submission of written data, views or arguments pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. Residents of the Territory of Alaska may address communications to the Director, Alaska Office, Civil Aeronautics Board, Anchorage, Alaska. All relevant material and communications received on or before December 29, 1947 will be considered by the Board before taking final action on the proposed rule.

If responses to this notice indicate the desirability for oral argument, such argument will be set down for hearing during the first week in January, 1948. Requests for oral argument should be filed with the Secretary, Civil Aeronautics Board on or before December 8, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

Explanatory Statement

Information obtained from Board investigations and other official sources indicates that there is a present need for a greater volume of air transportation of cargo between the continental United States and the Territory of Alaska. The interruption of normal transportation facilities on account of wartime conditions and other causes has intensified the natural need of Alaska for this type of service. The seasonal nature of many of the industries of Alaska, the dependence of Alaska upon the United States for most of its requirements, and the geographical location of Alaska all contribute to the natural demand for fast cargo service.

The air carriers certificated for the Alaska-States service apparently are not able to supply the facilities necessary to satisfy the present demand for cargo service. Moreover, although conditions which caused the Board to adopt § 292.5 of the Economic Regulations also appear to be applicable in large measure to cargo service between continental United States and Alaska, none of the carriers qualifying under § 292.5 are authorized to furnish regular cargo service between the continental United States and Alaska. In the circumstances, therefore, the Board believes that it may be appropriate to permit carriers with a direct interest therein to conduct cargo operations between the continental United States and Alaska pending determination of applications for certificates of public convenience and necessity for such service.

Exemption granted. The exemption which would be granted by the proposed regulation would extend to two groups of carriers. The first group would include 11 Alaskan Air Carriers (as defined in § 292.2 of the Economic Regulations) which hold certificates of public convenience and necessity. The second group would include all authorized carriers (i. e. carriers engaging in air transportation pursuant to certificates of public convenience and necessity or specific or general exemption authority) which operated at least 6 round trips between the continental United States and Alaska during the period from August 1, 1947, to October 31, 1947. An air carrier qualifying as a member of one of these groups is granted an exemption from the provisions of section 401 (a) and some of the provisions of section 404 (a) insofar as may be necessary to permit it to operate a service limited to the air transportation of cargo between the United States and Alaska. This service may be operated either on a scheduled or non-scheduled basis but is limited to operation between the points specified in the carrier's application for certificates of public convenience and necessity. The carrier is therefore required to file such application for certificate within 30 days after the effective date of the proposed regulation.

Duration of exemption. The exemption thus granted becomes effective on the date that the carrier files with the Board a written notice of its intention to engage in air transportation in accordance with the exemption regulation, and extends until such time as the Board finally determines any one application of that carrier for service between Alaska and the United States, unless it is sooner terminated upon the additional grounds set forth in the regulation. Provision is made for the automatic termination of the exemption if the air carrier, for any reason, no longer qualifies as an air carrier entitled to exemption.

Conditions for exemption. In order to avail itself of the exemption granted by the proposed regulation, the air carrier must comply with certain conditions. It must file the application mentioned above within the time limit set forth, and before it may inaugurate service, it is required to file a written notice of intention to do so. In addition, the Board has not determined whether any financial need arising from the cargo operations of a certificated mail carrier should be taken into consideration in the fixing of rates of mail compensation for such carrier under section 406 of the act, and the proposed regulation therefore provides that a certificated carrier taking advantage of the exemption must keep its records in such manner that the costs and revenues of this separate cargo service may be readily ascertained. As a further condition, an air carrier electing to take advantage of the exemption granted in the proposed regulation must relinquish the right to carry persons between the points between which it is operating the cargo service, even though it may have that right on a casual, occasional, infrequent or irregular basis by other exemption regulations of the Board.

Regulation. An air carrier electing to engage in cargo service between the United States and Alaska pursuant to the proposed regulation still retains its character as a member of the class of air carriers defined in the exemption regulation under which it is now operating. As such, and with respect to the operations permitted by the proposed regulation, the carrier will be governed by the requirements of §§ 292.1, 292.2, or 292.5, as the case may be.

Proposed Rule

§ 292.7 *Alaskan cargo carriers*—(a) *Eligibility for exemption.* An air carrier shall be "eligible" for the exemption provided in this section, if:

(1) Such carrier shall have filed with the Board:

(i) A written notice to the effect that it is undertaking to engage in transportation in accordance with such exemption.

(ii) On or before _____ 1948, an application for a certificate of public convenience and necessity authorizing such carrier to engage in overseas air transportation of property only between a point or points in the Territory of Alaska and a point or points in the continental United States; and

(2) Such carrier is an "Alaskan air carrier" as defined in § 292.2 of the Economic Regulations and holds a certificate or certificates of public convenience and necessity issued by the Board; or

(3) Such carrier operated a minimum of at least six round trip flights carrying property only or property and persons between the continental United States and Alaska during the period from August 1, 1947 to October 31, 1947, and is one of the following:

(i) An "Alaskan air carrier" as defined in § 292.2 of the Economic Regulations;

(ii) An "irregular air carrier" holding a valid and effective Letter of Registration issued by the Board pursuant to § 292.1 of the Economic Regulations or which is engaging in air transportation pursuant to that section pending disposition of its application for such Letter of Registration;

(iii) A "non-certificated cargo carrier" holding a valid and effective Letter of Registration issued by the Board pursuant to § 292.5 of the Economic Regulations or which is engaging in air transportation pursuant to that section pending disposition of its application for such Letter of Registration; or

(iv) An air carrier holding a certificate of public convenience and necessity issued by the Board.

(b) *Nature of exemption.* In so far as enforcement of sections 401 (a) and 404 (a) of the Civil Aeronautics Act of 1938, as amended, would prevent an "eligible" air carrier from engaging in the transportation applied for in accordance with paragraph (a) (1) (ii) of this section, such air carrier is exempt from said sections 401 (a) and 404 (a), subject to the following conditions and requirements:

(1) Any air carrier engaging in overseas air transportation of property only pursuant to this section shall not carry persons between the Territory of Alaska and the continental United States by way of casual, occasional, infrequent, irregular, charter or any special service notwithstanding that it may be authorized to do so under the provisions of § 292.1 or § 292.2, and this restriction shall continue in force and effect until such time as the air carrier shall give written notice to the Board of its intention to waive the right to the exemption granted by this section and that it has discontinued the overseas air transportation of property only pursuant thereto.

(2) The holder of a certificate of public convenience and necessity shall segregate accounts, records, and memoranda so as to reflect such costs and revenues as are related to operations conducted pursuant to the exemption granted under this section;

(3) In operations conducted pursuant to the exemption granted under this section, an air carrier shall be subject to all provisions of the act and all orders and regulations of the Board which are (i) not inconsistent with the provisions of this section and (ii) applicable to the principal operations of such carrier.

(c) *Duration of exemption.* The exemption granted to an "eligible" air carrier by this section shall become effective in the case of such carrier on the date that such carrier files its written "notice" with the Board in accordance with paragraph (a) (1) (i) of this section. Unless the exemption be extended by appropriate order of the Board, such exemption shall expire and be of no further force and effect with respect to such air carrier:

(1) Immediately upon such carrier's ceasing to be eligible under paragraph (a) (2) of this section.

(2) Thirty days after the Board shall have made final disposition of any one application, or part thereof, filed by such carrier in accordance with paragraph (a) (1) (ii) of this section.

(3) At such time as the Board may hereafter by regulation or order provide.

(Sec. 205 (a), 416 (b); 52 Stat. 984, 1004; 49 U. S. C. 425, 495)

[F. R. Doc. 47-10457; Filed, Nov. 25, 1947; 8:59 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7835, 7836, 7945, 7946, 8477]

ASSOCIATED BROADCASTERS, INC., ET AL.

AMENDED NOTICE OF ORAL ARGUMENT

Beginning at ten o'clock a. m. on Monday, November 24, 1947 the Commission will hear oral argument on the following listed matters, in the order indicated:

1st Argument

Docket No. 8477: In the Matter of Charges for United States Government Domestic Telegraph Communications.

2d Argument

Dockets Nos. 7835 and 7836: Associated Broadcasters, Inc., Assignor; Evansville on the Air, Assignee; Radio Indianapolis, Inc., Assignee, for assignment of license of Radio Stations WABW and WBBW.

3d Argument

Docket No. 7945: Johnston Broadcasting Co., Birmingham, Ala.; for construction permits.

Docket No. 7946: Thomas N. Beach, Birmingham, Ala.

Dated: November 17, 1947.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-10438; Filed, Nov. 25, 1947; 8:48 a. m.]

[Docket No. 8194]

LOGANSPORT BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Logansport Broadcasting Corporation, Logansport, Indiana, for construction permit. Docket No. 8194, File No. BP-5770.

The Commission having under consideration a petition filed November 10, 1947, by Logansport Broadcasting Corporation, Logansport, Indiana, requesting that the Commission advance the hearing date scheduled for its above-entitled application from April 2, 1948, to November 20, 1947; .

It appearing, that counsel for petitioner and counsel for South Shore Broadcasting Corporation, licensee of Station WJOB, Hammond, Indiana, party respondent to the proceeding on the above-entitled application, have consented to the scheduling of the said hearing for November 26, 1947, and, if a further hearing should be necessary, December 10, 1947, at Washington, D. C.;

It is ordered, This 14th day of November 1947, that the petition be, and it is hereby, granted in part; and that the said hearing on the above-entitled application be, and it is hereby, scheduled to be heard at 10:00 a. m., Wednesday, November 26, 1947, and Wednesday, December 10, 1947, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-10440; Filed, Nov. 25, 1947; 8:48 a. m.]

[Docket No. 8230]

ALL AMERICAN CABLES & RADIO, INC., ET AL.

ORDER POSTPONING HEARING

Charges for communications service between the United States and overseas and foreign points.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1947;

The Commission, having under consideration a joint telegraphic request by All American Cables & Radio, Inc., Mackay Radio & Telegraph Co., Inc., and the Commercial Cable Company, in which R. C. A. Communications, Inc., The Western Union Telegraph Company and Tropical Radio Telegraph Company concur, for a postponement for at least one week of the hearing herein, now scheduled to begin on November 24, 1947;

It is ordered, That the hearing herein, presently scheduled to begin on November 24, 1947, is hereby postponed to December 15, 1947, at the same time and place as heretofore designated.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 47-10442; Filed, Nov. 25, 1947; 8:48 a. m.]

[Docket No. 8384]

BIRNEY IMES, JR. (WELO)

ORDER CONTINUING HEARING

In re application of Birney Imes, Jr. (WELO), Tupelo, Mississippi, for construction permit. Docket No. 8384, File No. BP-4719.

The Commission having under consideration a petition filed November 10, 1947, by Birney Imes, Jr. (WELO), Tupelo, Mississippi, requesting a 60-day continuance of the hearing presently scheduled to be held on its above-entitled application now scheduled to be held on November 24, 1947, at Washington, D. C.;

It is ordered, This 14th day of November 1947, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Wednesday, January 21, 1948.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 47-10439; Filed, Nov. 25, 1947; 8:48 a. m.]

[Docket No. 8477]

CHARGES FOR UNITED STATES GOVERNMENT DOMESTIC TELEGRAPH COMMUNICATIONS

ORDER SCHEDULING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1947;

The Commission, having under consideration the record of the proceedings herein, including its report and order of October 23, 1947; and having also under consideration a petition for rehearing filed on October 29, 1947, by the United States, Intervenor, and a statement in opposition to said petition, filed on November 4, 1947, by The Western Union Telegraph Company;

It appearing, that in said petition for rehearing, the United States requests reopening of the proceeding herein for the purpose of reargument before the full Commission, and reconsideration of the Commission's report and order of October 23, 1947, and that the United States further requests that the Commission stay the operation of its order of October 23, 1947, and the rates authorized thereby, pending determination of its petition for reconsideration;

It further appearing, that the petitioner should be given an opportunity to make reargument before the Commission;

It further appearing, that the new United States Government domestic telegraph communication rates at issue herein have already become effective and that the Commission can take no further action with respect to said rates without a further determination regarding their lawfulness, so that even if the Commission should decide to issue a stay of its order of October 23, 1947, herein, such a stay would, in and of itself, appear to have no effect;

It is ordered, That a reargument with respect to the matters at issue in this proceeding shall be held before the Commission en banc on the 24th day of November, 1947 at the offices of the Commission in Washington, D. C.; beginning at 10:00 a. m.

It is further ordered, That the request by the United States for a stay by the Commission of the operation of its order of October 23, 1947, herein, and the rates authorized thereby, pending determination of the petition for reconsideration, is dismissed without prejudice.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 47-10441; Filed, Nov. 25, 1947; 8:48 a. m.]

[Docket No. 8480]

SALT RIVER VALLEY BROADCASTING CO. (KOY)

ORDER CONTINUING HEARING

In re application of Salt River Valley Broadcasting Company (KOY), Phoenix, Arizona, for construction permit. Docket No. 8480, File No. BP-5733.

The Commission having under consideration a petition filed November 7, 1947, by Salt River Valley Broadcasting Company (KOY), Phoenix, Arizona, requesting a 30-day continuance of the hearing on its above-entitled application now scheduled to be held on November 17, 1947, at Washington, D. C.;

It is ordered, This 14th day of November 1947, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, December 19, 1947, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 47-10443; Filed, Nov. 25, 1947; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 355]

RECONSIGNMENT OF CRANBERRIES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., November 19, 1947, by American Cranberry Exchange, of car NWX 8898, cranberries, now on the CNW, Morgan Street to Amarillo, Texas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November 1947.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 47-10427; Filed, Nov. 25, 1947; 8:46 a. m.]

[S. O. 396, Special Permit 356]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., November 19, 1947, by Harry Finerman Co., of car PFE 95489, lettuce, now on the Chicago Produce Terminal to Washington, D. C.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and

notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10428; Filed, Nov. 25, 1947; 8:46 a. m.]

[S. O. 790, Special Directive 1]

PENNSYLVANIA RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements having been verified and found to be correct,

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Pennsylvania Railroad Company is directed:

(1) To furnish daily to the mines listed in Appendix A cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

(5) To advise this office when its total supply of fuel coal including fuel stock piled or cars loaded on its lines reaches the amount of 16 days' supply.

A copy of this special directive shall be served upon The Pennsylvania Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 14th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

Name of mine:	*Number P. R. R. fuel coal cars per day*
Bear Run	8
Bigelow Run	5
Bucker	5
Jordan	6
Batchelet	3
Bostonian Nos. 9–10	4
Fuller	1
Kenbrook	7
Bennett	1
Bolivar	4
Cambria Cardiff-Smokeless	2
Diamond Smokeless	4
Eureka Nos. 37–40	5
Huskin No. 6	2
Lambert	2
Lamkie	6
Lindsey No. 8	1
Loyal Hanna No. 6	1
McCombie No. 2	3
Navy Smokeless	2
Penna. No. 10	3
Catfish	1
Fike	2
Hillcrest No. 3	12
Mercury No. 2	5
Armstrong	15
Braeburn	4
Cipolla	2
Creighton	1
Decker No. 2	3
Foster Nos. 4 and 5	43
Gilpin	8
Harkleroad	2
Kiski Valley	8
Graceton	4
Lucerne	4
Delmont No. 10	12
Hays No. 2	9
Irwin No. 11	5
Jane	5
Jones	2
Bulger	9
Enterprise	5
Fleck No. 4	5
Florence (Harmon)	39
Francis	42
Hanlin	39
Hankey	5
Mid Pen No. 4	10
Militant & Cooper Smokeless	3
Universal Nos. 1 and 2	3
L&P No. 1 or Poledo	4
Lloyd No. 1	10
Mimms	3
Reitz Nos. 3 and 4 (Power Plant)	2
Reitz No. 3 (Locomotive)	2
Smith Nos. 1 and 2	1
Stineman No. 3	5
Virginia No. 14	1
West Bituminous-Banks	5
Export	17
Graff Nos. 1 and 2	15
Jamison Nos. 2, 20, 21	13
Poole	9
Segar	3
Superior No. 2	5
Superior No. 1	5
Lewis	5
Maher No. 4	9
Mateer	5
Mooween	5
Painter	4
Park	11
Renton No. 3	2
Tunnelton	2
Valley	14
Venturini	3
Crawford	1
Salina	2
Mathias	13
Penn Valley	10
Patoka	2
Webco	5
A. & A	2
Betsy	23
Captina	2
Cross Creek	6

Name of mine—Continued	*Number P. R. R. fuel coal cars per day*
Dorothy & Florence	23
Healy	4
Kish	3
Mautz	1
Meecham	2
Milligan	1
Moore-Cadiz	13
Joyce Nos. 1 and 3	7
Lindley-Midland	37
Mac	3
Magnolia	1
Mayview	8
Miller	3
Mullett	40
Washington	17
Paris	10
Patsch	10
Persutti No. 2	6
Primrose Nos. 2 and 4	10
Rea	1
Rich Hill	3
Schlegel	10
Simpson No. 2	1
Standard No. 9—Sasso No. 5	33
Thomassey	1
Farrar-Nagode	4
Vegler	4
Bateson	1
Bowers	2
Gill-White	1
Sterling	1
Birch Creek	18
Chinook	45
Knox Nos. 1, 2, 5	73
Panhandle	12
Regent	6
Soisson	1
Consolidation Nos. 119–20	5
Jerome	3
Ponfeigh Nos. 1 and 2	1
Glen Fisher	1
Goheen-Fairview	1
Marshall	1
Dilliner	5
Fast & Merryman	2
LaBelle	1
Martin No. 2	3
Brock & National	14
Grant No. 2	1
Imperial	10
Irma	2
Powhatan	10
Ray	3
Rosehill	1
Sines	1
Ten X	3
Webb	43
Bethany	10
Costanzo	6
Locust Grove	31
Standard No. 1	3
Walnut Grove	2
Valley Camp	36
Dun Glen	29
Gander-Walsh	5
Testa	3
Parrall	3
Saxton	6
Shasta	10
Sunshine	2
Sycamore 25, Sullivan 27, Maumee 30	15
Consol Nos. 27, 32, 38, 62	6
Buckeye	3
Ramseytown	1
Seneca	9
Westville	3
Byrne No. 2	2
Christopher Nos. 2 and 3	3
Jamison No. 11	4
Pursglove No. 2	29
Rosedale Nos. 1 and 2 and Mon	15
Rider Nos. 3 and 4	11
Russell	5

[F. R. Doc. 47-10414; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 2]

BALTIMORE AND OHIO RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, the Pennsylvania-Reading Seashore Lines have certified that they have on that date in storage and in cars a total supply of 7 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Baltimore and Ohio Railroad Company is directed:

(1) To furnish daily to The Baltimore and Ohio Railroad Company mines (consolidation Numbers 25, 32, 38, 62) a total of 6 cars for the loading of Pennsylvania-Reading Seashore Lines fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing on cars furnished for loading under the provisions of this directive unless billed for Pennsylvania-Reading Seashore Lines fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 18th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10415; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 3]

LOUISVILLE AND NASHVILLE RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

On November 18, 1947, The Louisville and Nashville Railroad Company has certified that it has on that date in storage and in cars a total supply of 10.5 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Louisville and Nashville Railroad Company is directed:

(1) To furnish daily to the mines listed in Appendix A cars for the loading of Louisville and Nashville Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Louisville and Nashville Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

(5) To advise this office when its total supply of fuel coal including fuel stock piled or cars loaded on its lines reaches the amount of 16 days' supply.

A copy of this special directive shall be served upon The Louisville and Nashville Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A

Name of mine:	Number of cars
Blue Diamond Coal Co	22
Carrs Fork Coal Co	2
Consolidation Coal Co. (Knott Mine)	5
Marlowe Coal Co	4
Old King Mining Co	2
Elkhorn & Jellico Coal Co	3
Wisconsin Coal Corp	2
Star Elkhorn Coal Co	7
Cornettsville Coal Co., J. W. Smith	1
Atlas Coal Co	1
Mary Helen Coal Corp	4
Blue Diamond Coal Co., Imperial Mine	2
Mahan Ellison Coal Corp	2
Virginia Jellico Coal Co. No. 1	1
Blue Diamond Coal Co	3
Crescent Coal Co	25
Meador, Young & Holt Coal Co., Brown Mine	1
Williams Coal Co	7
Kirkpatrick Coal Co	4
Rogers Bros. Coal Co	30
Alabama By-Products Corp	20
Cooley-Wilder Coal Co	1
R. T. Daniel Coal Co., Birmingham Construction Co	2
Franklin Coal Min. Co	6
Newcastle Coal Co	12
H. B. Robinson, Milan Construction Co.	4
Grapevine Coal Corp	10
West Kentucky Coal Co	40
Blue Grass Coal Co	4
Columbus Mining Co. No. 5	2
Fourseam Coal Co	10
Harvey Coal Corp	7
Sandlick Coal Co	8
Indian Head Coal Co	2
Meem-Haskins Coal Co	2
Collie-Elkhorn Coal Co., P. D. Coal Co.	4
Buchanan Coal Co	3
Sandlick Coal Co	2
Black Star Coal Corp	4
Blue Diamond Coal Co., Fork Ridge Mine	3
Benedict Coal Corp	3
Black Diamond Coal Min. Co	2
Virginia Jellico Coal Co. No. 2	2
Pruden Coal & Coke Co	1
Meador, Young & Holt Coal Co., Webster Mine	2
Chapman Coal Co	1
Black Diamond Coal Mining Co	4
Nashville Coal Co	12
W. A. Wickliffe Coal Co	20
Center Coal Co	1
Tombrello Coal Co	1
R. T. Daniel Co., Mitchell Bros	2
National Coal & Coke Co., Wilder Construction Co	2
H. B. Robinson, Toxey & Hosmer	1
Hart Ross Coal Co	4

[F. R. Doc. 47-10416; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 4]

LIGONIER VALLEY RAIL ROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, the Ligonier Valley Rail Road Company is directed:

(1) To furnish daily to the Soisson mine one car for the loading of Pennsylvania Railroad fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such car furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of car furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon the Ligonier Valley Rail Road Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and

by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10417; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 5]

PITTSBURG & SHAWMUT CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Pittsburg & Shawmut Company is directed:

(1) To furnish daily to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal: Glen Fisher 1 car; Goheen-Fairview 1 car; Marshall 1 car; Ramseytown 1 car; Seneca 9 cars, and Westville 3 cars.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Pittsburg & Shawmut Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10418; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 6]

MONONGAHELA RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Monongahela Railway Company is directed:

(1) To furnish daily to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal: Dilliner 5 cars; Fast & Merryman 2 cars; LaBelle 1 car; Martin #2, 3 cars; Brock & National 14 cars; Byrne #2, 2 cars; Christopher #2 & #3, 3 cars; Jamison #11, 4 cars; Pursglove #2, 29 cars; and Rosedale #1 & #2 & Mon, 15 cars.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10419; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 7]

MONTOUR RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Montour Railroad Company is directed:

(1) To furnish daily to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal; Grant #2, 1 car; Imperial 10 cars; Irma 2 cars, Rider No. 3 & 4, 11 cars and Russel 5 cars.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Montour Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10420; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 8]

NEW HAVEN & DUNBAR RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, the New Haven & Dunbar Railroad Company is directed:

(1) To furnish daily to the Dunbar mine four cars for the loading of Pennsylvania Railroad fuel coal from its

total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon the New Haven & Dunbar Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10421; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 9]

WHEELING AND LAKE ERIE RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 14, 1947, The Pennsylvania Railroad Company and The Long Island Railroad Company have certified that they have on that date in storage and in cars a total supply of 9.5 days of fuel coal, and that it is immediately essential that these companies increase their coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order 790. The Wheeling and Lake Erie Railway Company is directed:

(1) To furnish daily to the Dun Glen mine 29 cars for the loading of Pennsylvania Railroad fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Pennsylvania Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Wheeling and Lake Erie Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10422; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 10]

BALTIMORE AND OHIO RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

On November 18, 1947, The Washington Terminal Company certified that they have on that date in storage and in cars a total supply of 4 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Baltimore and Ohio Railroad Company is directed:

(1) To furnish daily to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

	Cars
Consolidation Nos. 119 and 120	5
Jerome	3
Ponfeigh 1 and 2	1

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The Washington Terminal Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10423; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 11]

DENVER AND RIO GRANDE WESTERN RAILROAD CO. TO FURNISH COAL FOR RAILROAD COAL SUPPLY

By letter dated November 17, 1947, The Denver and Rio Grande Western Railroad Company has certified that it has on that date in storage and in cars a total supply of 7.5 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Denver and Rio Grande Western Railroad Company is directed:

(1) To furnish daily to the mines listed in Appendix A cars for the loading of D&RGW Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for D&RGW Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

(5) To advise this office when its total supply of fuel coal including fuel stock piled or cars loaded on its lines reaches the amount of 16 days' supply.

A copy of this special directive shall be served upon The Denver and Rio Grande Western Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November, A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A

Name of mine:	Number fuel coal cars per day
C. F. & I.	4
Hayden Coal Co.	1
Victor-American	4
McNeal Coal Co.	1
C. F. & I.	2
Utah Fuel	4
Walsenburg, Colo.	2
Hodge Coal Co.	
Victor-American	
McNeal Coal Co.	6
Juanita Coal Co.	1
Bear Coal Co.	1
Wagon Mines—Loading stations at Austin & Saxon, Colo.	3
Utah Fuel	2
Liberty	4
Standard Coal Co.	3
Western Coal Co.	1
C. F. & I.	1
Keystone Coal Co.	1
Harris Coal Co.	5
C. F. & I.	3
C. F. & I.	1
Minnequa Coal Co.	4
Taylor Coal Co.	1
Major Coal Co.	1
Utah Fuel	12
Oliver Coal Co.	1
Clark Coal Co.	1
Hawksnest Coal Co.	1
Utah Fuel	10
Utah Fuel	3
Independent Coal & Coke	11
Spring Canyon Coal Co.	3
Hi-Heat Coal Co.	1
Pacific Coal Co.	1

[F. R. Doc. 47-10424; Filed, Nov. 25, 1947; 8:45 a. m.]

[S. O. 790, Special Directive 12]

DENVER AND RIO GRANDE WESTERN RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

By letter dated November 17, 1947, The Denver and Rio Grande Western Railroad Company has certified that it has on that date in storage and in cars a total supply of 7.5 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, the following directions shall be observed:

(1) The Denver and Rio Grande Western Railroad Company shall furnish to the Carbon County Railway Company 4 cars daily for loading D&RGW fuel coal;

(2) Th Carbon County Railway Company shall furnish daily to the Geneva mine a total of 4 cars for the loading of D&RGW fuel coal;

(3) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine;

(4) That it shall not accept billing on cars furnished for loading under the provisions of this directive unless billed for D&RGW fuel coal supply;

(5) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

(6) The D&RGW shall advise this office when its total supply of fuel coal including fuel stock piled or cars loaded on its lines reaches the amount of 16 days' supply.

A copy of this special directive shall be served upon The Denver and Rio Grande Western Railroad Company and the Carbon County Railway Company, and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-10425; Filed, Nov. 25, 1947; 8:46 a. m.]

[S. O. 790, Special Directive 14]

NEW YORK CENTRAL RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

On November 20, 1947, The New York Central Railroad Company certified that they have on that date in storage and in cars a total supply of 10.8 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The New York Central Railroad Company is directed:

(1) To furnish daily to the mines listed in Appendix A cars for the loading of New York Central Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for The New York Central Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

(5) To advise this office when its total supply of fuel coal including fuel stock piled or cars loaded on its lines reaches the amount of 16 days' supply.

A copy of this special directive shall be served upon The New York Central Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November A. D. 1947.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A

Mine:	Number of cars required to fill fuel order
Sugar Camp No. 1	2
Hoffman (Savel)	1
Harrington No. 1	5
Arcadia Nos. 27 and 43	12
Fisher	5
Gorton No. 1	8
McCombie No. 2	3
Coaldale Nos. 26 and 28	4
Mt. Carmel No. 1	4
Orchard No. 6 (including Pleasant Valley and Woolridge Nos. 1 and 2)	8
Ogle No. 9	2
Victor No. 9 and 9A	2
Pardee 46	1
Watson	17
Walker No. 2	
Lanark No. 1	
Pooler, Potts Run No. 3	
Doras, Potts Run No. 3	
Ownes	
Kyler No. 2	
River Hill	
Belfast No. 14	
Knowles No. 3	
Clymer	95
Commodore	
Arcadia Nos. 1 and 2	
Gazzam Strip	
Mays	5
West Freedom	8
Kable	3
Brown	3
Elmo	3
Tartan	3
Connor (Evans)	1
Piney Fork No. 1	30
Wolf Run	10
Witch Hazel	1
Redding	1
Jenkins	1
Hilcrest	3
Reber	5
Brentwood	2
Apex	30
Kelly's Creek No. 702	20
Kelly's Creek No. 703	
Kelly's Creek No. 704	
Kanawha & Hocking No. 608	12
Blue Creek	1
Misco	40
Rendmar No. 15	5
Sunnyhill No. 167	5
J. Teagarden No. 171	2
S & S (Singer 169)	3
Dark Hollow (Hobart)	1
Peacock	2
Hocking Valley No. 158	
Hocking Valley No. 25	36
Hocking Valley No. 52	
Washer No. 6	46
No. 255½	
No. 9	
No. 219	
Mystic 107	
Green Valley 166	
Brownfield 55	
Gilchrist	
Amesville	

Mine—Continued	Number of cars required to fill fuel order
Ditney Hill	20
Enos	26
Blackfoot	17
Tecumseh	40
Cedar Valley	2
Ayrshire	16
Patoka (Globe)	16
Big Creek	5
Blue Bird No. 6	17
Peabody No. 47	9
Riveley	4
Rex	4
Wasson	3
Sahara No. 16	35
Sahara No. 6 (Washer)	
Nokomis	8
Livingston	2

[F. R. Doc. 47-10426; Filed, Nov. 25, 1947; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1012]

ALLIS-CHALMERS MFG. CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of November A. D. 1947.

In the matter of application by the Los Angeles Stock Exchange for unlisted trading privileges in Allis-Chalmers Manufacturing Company, common stock, without par value.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the common stock, without par value, of Allis-Chalmers Manufacturing Company, a security listed and registered on the Chicago Stock Exchange and New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to December 22, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10405; Filed, Nov. 25, 1947; 8:55 a. m.]

[File No. 54-153]

CITIES SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING ON APPLICATIONS TO PAY FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 19th day of November A. D. 1947.

The Commission having on April 24, 1947, issued its order approving a plan filed by Cities Service Company ("Cities"), a registered holding company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935; and

The Commission in said order approving said plan, having reserved jurisdiction as to the reasonableness and appropriate allocation of all fees and expenses and other remunerations incurred and to be incurred in connection with the plan and the consummation thereof; and

Cities and others having filed applications for allowances of fees and expenses incurred in connection with said plan as set forth below:

	Fees	Expenses
Fees and expenses of Cities Service Co.:		
Legal services:		
Fruehauff, Burns, Ruch & Farrell	$75,000	$4,728
Beekman and Bogue	1,000	
Other professional services	10,333	2,160
Other services:		
Guaranty Trust Co. of New York	30,500	
The Chase National Bank of the City of New York	58,498	40,560
Services to be rendered (estimated):		
Guaranty Trust Co. of New York	10,000	
The Chase National Bank of the City of New York	27,050	10,000
General expenses:		
Printing		103,590
Mailing		41,291
Advertising		19,059
Miscellaneous		24,276
	212,381	245,664
Fees and expenses of others:		
Arthur Richenthal & Delson, Levin & Gordon, counsel for preferred stockholders committee	150,000	1,277
Reis and Chandler, Inc., analytical service	7,500	128
Members of preferred stockholders committee:		
John J. Fitzgerald	3,500	
Maurice P. Geller	2,500	
Renzo Falco	2,500	
	166,000	1,405
V. I. Zelov, a preferred stockholder	759	

Cities having requested that the Commission approve the payment of the fees and expenses incurred and to be incurred by it, that the Commission fix a date for the submission of all other claims for fees and expenses for services rendered in connection with the plan, and that the Commission determine any additional amounts to be paid by Cities Service Company as fees and expenses for services rendered in connection with the plan.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held on said applications:

It is hereby ordered, That the record in the proceedings on the said plan be reopened and that the hearings be reconvened on December 8, 1947 at 11:00 a. m., e. s. t., for the purpose of considering said applications for allowances of fees and expenses as set forth above, such hearing to be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission on or before December 5, 1947 a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Harold B. Teagarden, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division having advised the Commission that it has made a preliminary examination of the applications and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

Whether the fees and expenses proposed to be paid by Cities Service Company and the requests for allowances for fees and expenses filed by others are for necessary services and are reasonable in amount, and whether it is appropriate and lawful to grant any allowances for fees and expenses to the persons making such claims.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That any person desiring to assert any additional claim for compensation or reimbursement of expenses in connection with proceedings herein shall on or before December 5, 1947 file such claim or a notification of intention to assert such claim, and, further, in the event other claims are filed during the course of said proceedings no notice of such filing will be given unless specifically ordered by the Commission. Any person desiring to receive further notice of filing such additional claims should file an appearance in these proceedings or otherwise specifically request such notice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Cities Service Company, to all persons who have heretofore applied for or who have been granted participation in the proceedings, and to all other persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10404; Filed, Nov. 25, 1947; 8:55 a. m.]

[File Nos. 70-1658, 70-1659]

ASSOCIATED ELECTRIC CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of November 1947.

In the matter of Associated Electric Company, Pennsylvania Electric Company, File No. 70-1658; John H. Ware, 3d, File No. 70-1659.

Notice is hereby given that Associated Electric Company ("Aelec"), a registered holding company, and its subsidiary, Pennsylvania Electric Company ("Penelec"), and John H. Ware, 3d, of Oxford, Pa., have filed with this Commission a declaration and an application, respectively, pursuant to the Public Utility Holding Company Act of 1935, designating section 12 (d) and Rule U-44 (a) thereunder, and also section 9 (a) (2) as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 3, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issue of fact or law raised by said application and declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 3, 1947, said application and declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application and declaration which are on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Penelec proposes to sell to John H. Ware, 3d, or his assigns, for a base price of $185,000 (subject to certain adjustments), all its property and assets, real and personal, including franchises and consents, pertaining to Penelec's manufactured gas business in the territory in and about the Boroughs of Lewistown, Huntingdon, and Shippensburg, Pennsylvania. It is stated that these manufactured gas properties are being disposed of in accordance with this Commission's order dated June 19, 1946, directing Penelec to divest itself of all direct and indirect interest in and control over any and all gas properties acquired from Pennsylvania Edison Company.

It is further stated that the contract price was determined as a result of bidding by prospective purchasers in response to the second invitation for bids mailed by Penelec to eight individuals, and the bid received from Ware being the highest was accepted.

John H. Ware, 3d, an affiliate of several public utility companies operating in the State of Pennsylvania, and one small utility company operating in the State of New Jersey, proposes to organize three Pennsylvania corporations, namely, Lewistown Gas Company (Lewistown), Huntingdon Gas Company (Huntingdon), and Shippensburg Gas Company (Shippensburg), which corporations will acquire and operate the properties to be purchased from Penelec. Ware states that an application on behalf of each of the three corporations has been filed with the Pennsylvania Public Utility Commission regarding their incorporation and organization, the exercise by them of franchises, the issuance of certificates of public convenience to operate the properties, and the issuance by the three corporations of the following securities:

480 shares of common stock ($50 par value) of Lewistown, $28,000 4½% note due November 1, 1951, $112,000 First Mortgage 3.9% Bonds due June 1, 1970.

240 shares of common stock ($50 par value) of Huntingdon, $18,750 4½% demand note of Huntingdon.

180 shares of common stock ($50 par value) of Shippensburg, $14,750 4½% demand note of Shippensburg.

According to the filings, a copy of the State Commission's order to be issued in this matter will be supplied by amendment. Ware states that neither the acquisition of the properties by the three corporations nor the issuance of the above-described securities by them is subject to the jurisdiction of this Commission.

Ware requests this Commission's approval, pursuant to the provisions of section 9 (a) (2) of the act, of the acquisition by him of the securities proposed to be issued by the three corporations as listed above. It is requested that Commission action be taken in respect of the above matter on or before December 5, 1947, inasmuch as the seller has stipulated that the transaction must be closed before December 31, 1947.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10406; Filed, Nov. 25, 1947; 8:55 a. m.]

[File No. 70-1664]

INTERSTATE POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of November A. D. 1947.

Interstate Power Company ("Interstate"), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 and 7 thereof, regarding the following transactions:

Interstate proposes to issue and sell two collateral promissory notes, each in the principal amount of $1,500,000, bearing interest at the rate of 3% annually payable at maturity, and maturing on April 15, 1948; one of said notes is to be sold to The Chase National Bank of the City of New York, and the other to Manufacturers Trust Company, New York. The proposed issue and sale of notes is for the purpose of extending the maturity of Interstate's presently outstanding collateral promissory notes aggregating $3,000,000 due December 1, 1947, held by the above-named banks and collaterallized by an equal principal amount of Interstate's first mortgage bonds, 5% series, due January 1, 1957. Interstate proposes to repledge said first mortgage bonds as collateral for the proposed new notes. The presently outstandng notes due December 1, 1947, had been issued and sold by Interstate for the purpose of financing Interstate's construction program and to restore current working funds which had been reduced below normal requirements in order to finance new construction (Holding Company Act Release Nos. 7001, 7264 and 7571). An amended plan for the reorganization of Interstate, filed with the Commission on October 29, 1947 (File No. 54-130), provides, among other things, for retirement of $2,000,000 principal amount of the proposed new notes out of the proceeds of the sale of securities to be issued by Interstate under said amended plan, and for refunding the balance ($1,000,000) of said proposed notes by issuance of a new note to mature not later than December 31, 1948.

Said declaration having been filed on October 29, 1947 and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act (Holding Company Act Release No. 7820), and the Commission not having received a request for hearing thereon within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Interstate having requested that the Commission take appropriate action to accelerate its order herein and that said order become effective forthwith, and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10409; Filed, Nov. 25, 1947; 8:56 a. m.]

[File No. 70-1674]

ATLANTIC SEABOARD CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of November 1947.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Atlantic Seaboard Corporation ("Seaboard"), a registered holding company, and a subsidiary of Columbia Gas and Electric Corporation ("Columbia Gas"), also a registered holding company. Declarant designates section 12 (b) of the act and Rule U-45 thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than December 2, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be given on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 2, 1947, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Columbia Gas owns all of the outstanding securities of Seaboard which, in turn, owns all the outstanding securities of Amere Gas Utilities Company ("Amere"), a gas utility company chiefly engaged in the distribution of natural gas in West Virginia. Seaboard proposes to make a cash contribution of $100,000 to Amere to provide funds which, it is stated, are urgently needed for construction and in the conduct of its business. In this connection, Seaboard proposes to increase its investment in the common stock of Amere by $100,000, and Amere proposes to credit a like amount to its Paid-in Capital Surplus.

It is requested that the Commission's order permitting the declaration to become effective be issued as soon as possible and that it shall be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10407; Filed, Nov. 25, 1947; 8:56 a. m.]

[File No. 70-1675]

COLUMBIA GAS & ELECTRIC CORP. AND OHIO FUEL GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of November 1947.

Notice is hereby given that a joint application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, and its subsidiary, The Ohio Fuel Gas Company ("Ohio Fuel"). The applicants designate sections 6 (b), 9 and 10 of the act and Rule U-44 as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than December 2, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be given on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 2, 1947, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said joint application which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Ohio Fuel, all of whose outstanding securities are owned by Columbia Gas, proposes to issue and sell to the latter $7,000,000 principal amount of 3¼% Installment Promissory Notes. Such notes are to be unsecured and are to be payable in equal annual installments on August 15 of each of the years 1950 to 1974, inclusive.

It is stated that Ohio Fuel will utilize the proceeds to be realized from the proposed transaction ($7,000,000) for the purpose of financing a portion of its construction expenditures estimated at $12,048,000 for the year 1947. It is further stated that the construction program of Ohio Fuel is subject to the availability of materials and to other uncertainties by reason of which all of the funds required for the 1947 construction program may not be immediately required. Accordingly, it is proposed that Ohio Fuel will issue and sell its 3¼% notes only to the extent and at such times as funds are required and that none of such notes will be issued and sold subsequent to March 1948.

The proposed issue and sale of notes was authorized by the Public Utilities Commission of the State of Ohio by order dated August 14, 1947.

It is requested that the Commission's order granting the joint application be issued as soon as possible and that it shall be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10408; Filed, Nov. 25, 1947; 8:56 a. m.]

[File No. 70-1678]

NORTH AMERICAN LIGHT & POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of November 1947.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the Act") by North American Light & Power Company ("Light & Power"), a registered holding company and a subsidiary of The North American Company, also a registered holding company. The applicant-declarant has designated sections 10, 11 and 12 (d) of the act and Rules U-23, U-44 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may not later than December 1, 1947 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 1, 1947 said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transactions proposed therein which are summarized as follows:

Light & Power proposes to sell its holdings of 710,500 shares of common stock, of the par value of $10 per share, of Northern Natural Gas Company ("Northern Natural") pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act. The net proceeds from the sale of said 710,500 shares will be applied, together with certain other current assets of Light & Power, to the liquidation and retirement of its $6 preferred stock held by others than The North American Company and in full satisfaction of all rights of the holders thereof.

The applicant-declarant states that said sale is necessary to carry out the orders of this Commission dated December 30, 1941, and June 25, 1947 (Holding Company Act Release Nos. 3233 and 7514) and the order dated November 6, 1947, of the United States District Court for the District of Delaware (In the Matter of North American Light & Power Company, The North American Company, et al., Civil Action No. 1033).

Light & Power also proposes to purchase on the New York Stock Exchange such number of shares of common stock of Northern Natural as it may deem necessary or appropriate to stabilize the price of such stock on such Exchange during the period commencing at 10:00 a. m. on the day fixed for the opening of bids for the purchase of the 710,500 shares of common stock of Northern Natural and ending at the time of an acceptance of a bid or the rejection of all bids, and to sell on said Exchange any shares so purchased as soon as practicable after the consummation of the sale of the 710,500 shares of common stock of Northern Natural.

The applicant-declarant states that no State Commission has jurisdiction over the proposed transactions.

Light & Power has requested that the Commission issue its order herein on December 4, 1947 and that it become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-10403; Filed, Nov. 25, 1947; 8:55 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9569, Amdt.]

ANNA MAEHL

In re: Stock owned by Anna Maehl. F-28-6137-D-1.

Vesting Order 9569, dated July 31, 1947, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2 of said Vesting Order 9569 the numbers "BO-1843, BO-1844, BO-1845 and BO-1849" and substituting therefor the following "BO 43, BO 44, BO 45 and BO 1849,".

All other provisions of said Vesting Order 9569 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10456; Filed, Nov. 25, 1947; 8:48 a. m.]

[Vesting Order 9939]

NICHOLAS KNORR

In re: Estate of Nicholas Knorr, deceased. D-28-10278; E. T. sec. 14642.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hubertina Jauk, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of $4,616.51 was paid to the Attorney General of the United States by Maura B. Banke, executor of the estate of Nicholas Knorr, deceased;

3. That the said sum of $4,616.51 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on June 17, 1947, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10444; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10020]

ALBERT BREITUNG

In re: Trust created under the will of Albert Breitung, deceased. File No. D-28-4267 G-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alberta Breitung Langbein, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the Trust created under the will of Albert Breitung, deceased, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10445; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10022]

ANNA CLAUSSEN

In re: Estate of Anna Claussen, deceased. File D-28-11435; E. T. sec. 15668.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johann Claussen, Anna Fick, Cathrina Brunges, Elise Tiencken, Anna Hollings, Johann Borchers, Matilde Dontzelmann, Elise Steffens, Hinrich Tiencken and Gesine Claussen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Johann Claussen, Anna Fick, Cathrina Brunges, Elise Tiencken, Anna Hollings, Johann Borchers, Matilde Dontzelmann, Elise Steffens, Hinrich Tiencken and Gesine Claussen, who there is reasonable

cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Anna Claussen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Henry Clausen and Anna Tiencken, as Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Johann Claussen, Anna Fick, Cathrina Brunges, Elise Tiencken, Anna Hollings, Johann Borchers, Matilde Dontzelmann, Elise Steffens, Hinrich Tiencken and Gesine Claussen, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10446; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10032]

SIDONIE THOERMER

In re: Estate of Sidonie Thoermer, deceased. File D-28-12000; E. T. sec. 16180.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martha Mettuck, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Sidonie Thoermer, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Julius Bollinger, as executor, acting under the judicial supervision of the County Judge's Court of Dade County, Miami, Florida;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10447; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10034]

RICHARD H. TORPE

In re: Estate of Richard H. Torpe, deceased. File No. D-28-11009; E. T. sec. 15404.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Max Just (also known as Max Gost), whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Richard H. Torpe, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Albert F. Cyris, as executor, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10448; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10121]

ANTON J. BENJAMIN

In re: Debt owing to Anton J. Benjamin. F-28-4881-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anton J. Benjamin, whose last known address is Leipsig, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anton J. Benjamin, by Dun & Bradstreet, Inc., Mercantile Claims Division, 290 Broadway, New York, N. Y., in the amount of $23.64, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10449; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10130]

HEINRICH & CO. ET AL.

In re: debts owing to Heinrich & Co., Oscar Schaller & Co. and Heinrich Winterling.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich & Co., the last known address of which is Selb, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Oscar Schaller & Co., the last known address of which is Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That Heinrich Winterling, whose last known address is Marktleuthen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That the property described as follows:

a. That certain debt or other obligation owing to Heinrich & Co. by Heinrich and Winterling Corp., 49-51 West 23rd Street, New York, New York, arising out of commercial accounts payable, including particularly but not limited to the amount of $18,743.47, as of January 1, 1941, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Oscar Schaller & Co. by Heinrich and Winterling Corp., 49-51 West 23rd Street, New York, New York, arising out of a commercial account payable, in the amount of $448.51, as of December 31, 1943, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to Heinrich Winterling by Heinrich and Winterling, 49-51 West 23rd Street, New York, New York, arising out of a commercial account payable, in the amount of $451.00, as of December 31, 1943, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1, 2 and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10450; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10133]

BERNARD KOPP

In re: Bank account owned by Bernard Kopp. F-28-11702-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bernard Kopp, whose last known address is Olfen, Province Westfalen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Bernard Kopp, by Security-First National Bank of Los Angeles, 215 West Sixth Street, Los Angeles, California, arising out of a blocked account, entitled Bernard Kopp, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10451; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10135]

LABORATOIRES CRUET, S. A.

In re: Debt owing to Laboratoires Cruet, S. A.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Schering, A. G., the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Laboratoires Cruet, S. A. is a corporation organized under the laws of France, whose principal place of business is located at Paris, France, and is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by the aforesaid Schering, A. G., and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to Laboratoires Cruet, S. A. by Pharmex, Inc., 60 Orange Street, Bloomfield, New Jersey, in the amount of $1,600, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Laboratoires Cruet, S. A., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That Laboratoires Cruet, S. A., is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10452; Filed, Nov. 25, 1947; 8:47 a. m.]

[Vesting Order 10137]

AUGUSTE M. NITSCHKE

In re: Bank accounts owned by Auguste M. Nitschke. F-28-28188-E-1, F-28-28188-E-20.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Auguste M. Nitschke, whose last known address is Kloster Ruhn near Butzow b Mecklenberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Auguste M. Nitschke, by The Western Saving Fund Society of Philadelphia, 1000 Walnut Street, Philadelphia 7, Pennsylvania, arising out of a Savings Account, account number A-296,437, entitled Auguste M. Nitschke, maintained with the aforesaid Society, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Auguste M. Nitschke, by The Philadelphia Saving Fund Society, 700 Walnut Street, Philadelphia 6, Pennsylvania, arising out of a Saving Account, account number E-35,944, entitled Auguste M. Nitschke, maintained with the aforesaid Society, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10453; Filed, Nov. 25, 1947; 8:48 a. m.]

[Vesting Order 10139]

JOY NOZAKI

In re: Bank account owned by Joy Nozaki. D-39-19051-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joy Nozaki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Joy Nozaki by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a checking account entitled Joy Nozaki, maintained at the branch office of the aforesaid bank located at Arroyo Grande, California, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Joy Nozaki by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a school savings account entitled Joy Nozaki, maintained at the branch office of the aforesaid bank located at Arroyo Grande, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10454; Filed, Nov. 25, 1947; 8:48 a. m.]

[Vesting Order 10141]

SHANGHAI MERCANTILE CO.

In re: Bank account owned by and debt owing to Shanghai Mercantile Co.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Winckler & Co., the last known address of which is Kobe, Japan, is a partnership organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That Shanghai Mercantile Co. is a corporation, partnership, association or other business organization organized or registered under the laws of China, and is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by the aforesaid Winckler & Co., and is a national of a designated enemy country (Japan);

3. That the property described as follows:

a. That certain debt or other obligation owing to Shanghai Mercantile Co. by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a commercial deposit entitled

Shanghai Mercantile Co., and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Shanghai Mercantile Co. by Panama Railroad Company, Balboa Heights, Canal Zone, in the amount of $221.75, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Shanghai Mercantile Co., the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

4. That Shanghai Mercantile Co. is controlled by or acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10455; Filed, Nov. 25, 1947; 8:48 a. m.]

[Vesting Order 10033]

ANNA L. R. TIEDEMANN

In re: Estate of Anna L. R. Tiedemann, deceased. File D-28-4162; E. T. sec. 15971.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martin Hohorst, Gretchen Holjes, Lene Holjes, A. Schulze, Magda Wagner, Gretschen Schoening, Hinni Hohorst, Martin Hohorst, Hans Hohorst and Paula Jebsen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Anna L. R. Tiedemann, also known as Anna Lucie Raschen Tiedemann, Anna L. Tiedemann and Anna L. Raschen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by John L. W. Cattermole, as executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10382; Filed, Nov. 24, 1947; 8:59 a. m.]

[Vesting Order 10177]

CHRISTIANA SCHWESER

In re: Estate and trust under will of Christiana Schweser, deceased. File No. D-28-11616; E. T. sec. 15828.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That William Bechauf, August Bechauf, Lena Ammon, George Fortsch, Bertha Limmer, Margaret Carl and Lena Yahn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children of Christina Hummel, names unknown, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Christiana Schweser, and in and to the trust created under the will of Christiana Schweser, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Robert E. Schweser, as Executor and Trustee, acting under the judicial supervision of the County Court of Butler County, Nebraska;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the children of Christina Hummel, names unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-10383; Filed, Nov. 24, 1947; 8:59 a. m.]